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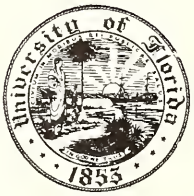

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Toward Unity in Africa

A STUDY OF FEDERALISM IN BRITISH AFRICA

By Donald S. Rothchild

FOREWORD BY GWENDOLEN CARTER

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To

EDITH WHITE ROTHCHILD, MY COLLEAGUE

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FOREWORD

Only recently have scholars begun to turn their attention to the wealth of material provided by new constitutional forms and developments in Africa south of the Sahara. Not enough has yet been done to evolve new premises and concepts in the discipline of comparative government which is still largely grounded in the political experience of the mature countries of the West and of the Soviet Union. Comparative studies, like this one, help therefore to fulfil two functions: to broaden our knowledge of the working of characteristically Western-type institutions in new milieus, and to stimulate thought about the criteria which should be used in analyzing them.

The three constitutional experiments with which this book is concerned differ widely in character but have the same basic purpose of providing overall liaison between sharply differing entities. Two of them—the Federation of Rhodesia and Nyasaland, and the Federation of Nigeria—are true federations with guaranteed divisions of power between the state and federal governments. The third, the East Africa High Commission, is an administrative device for handling matters of common concern to Kenya, Uganda and Tanganyika without shifting the ultimate decision on policies away from the territorial governments.

Since none of these territories are as yet fully independent (though Nigeria will become so in October 1960) their constitutional forms have been shaped in London as well as by the interplay of local forces. All of them have had a common type of experience through British colonial rule. They have inherited parliamentary government with its tendency to centralization which federalism seeks to counteract. Equally they differ because the British have always proceeded empirically in response to the political pressures which build up in the territories for which they are responsible. In all three areas there have been some groups in the vanguard for political rights, notably within East and Central Africa the white settlers of Kenya and Southern Rhodesia who from the beginning have claimed the inherent right of Englishmen to representative institutions, while some groups have dragged behind, like Northern Nigeria within the Nigerian Fed-

eration. Not the least of the difficulties in transferring authority from the imperial government to local groups is to provide adequate power as well as political experience for those who have sought it late.

Federalism has two great advantages in such a situation: its flexibility in combining disparate entities, and the protection it offers to minority or less developed groups. It is, in fact, in states that are newly independent, or soon to become so that federalism has greatest relevance today. In old established systems, like those of the United States and European federal states, the regional sentiment which underpins genuine federalism has almost disappeared while the fact that only the federal government can finance large-scale programs of development and social welfare has greatly strengthened the position of the national administration. But when large entities like India secure independence from colonial rule, federalism may be the only way to prevent them from disintegrating into small, non-viable linguistic or similar fragments, while equally federalism may be the only way in Africa to combine varied but too small units into viable entities.

To trace so carefully, yet succinctly, as does this work, the differences of opinion and the events which led up to the major federal experiments yet made in Africa south of the Sahara, and to indicate the ways in which they have operated is a useful service. No less significant is the light it sheds not only on the potentialities but also the limitations of federalism in over-bridging multi-racial and tribal differences. The inability to create a closer union in East Africa demonstrates that federalism cannot of itself allay all fears of minority, or indeed of majority domination. Continued African opposition to the Federation of Rhodesia and Nyasaland despite its economic achievements underscores the point. Yet where, as in Nigeria, all the major groups are represented in the federal legislature in rough proportion to their influence within the country, it seems likely that the system can work at least moderately well.

With the tide running so strongly towards independence within Africa south of the Sahara, and the existence of a large number of small units and their tendencies towards one-party rule, federal unions either before or after separation from the imperial power offer the most hopeful opportunity of building viable units with some democratic interplay of forces within them. There is all the more reason, therefore, to learn from the experience of those who have already attempted them.

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PREFACE

My purpose in undertaking this study was to learn if there were any uniform motives which explain the many and varied federation movements in British East, Central and West Africa. Such an analysis seems important at this time because too little work has been done on the process of federal integration in the underdeveloped areas of the world, particularly while this process is still in its formative stages. It is hoped that the present volume will encourage others to do further research in this broad area.

In making my analysis, I have distinguished between federalism as a consequence of the tendencies toward decentralization and enlargement. The former involves the breaking down of a functioning unitary system of government along federal lines. The latter connotes the building up of separate political entities into an integrated whole. Throughout this book I have concentrated on the latter phenomenon.

In general, as the British African colonies approach self-government, African leaders—black and white—may deem it wise to ally their territory with contiguous territories in order to secure the political, economic, strategic, and administrative advantages of closer union. Their desire for genuine independence leads them to espouse the cause of inter-territorial unions in preference to a perilous isolationism.

This integration might well follow along centralized lines if it were not for the presence of strong centrifugal forces on the African scene. Powerful groups—racial and tribal—fear their submergence in a unitary state. They therefore turn to federalism in order to gain the advantages of enlargement without sacrificing either group security or identity. Moreover, as the case studies of this work illustrate, federalism itself is acceptable as an accommodating mechanism most often when there is a real community of interest and trust in the territories affected by the proposed federation.

While the drive for security is a main force influencing groups to compromise with the federal form, the actual operation of such a system may well work to reduce many of the tensions which caused its adoption in the first place. The funneling of disputes into peaceful

channels may remove many a source of dissension from the outset. And any consequent relaxation of group suspicions might, in turn, affect the federal system by facilitating the transition from tensional to cooperative federalism.

Although my research extended over a period of five years much of what is said in these pages is based upon first-hand observations in Africa and discussions with African leaders and British officials in the summer of 1958. The many courtesies extended to me in this connection were exceedingly helpful.

For patient advice and assistance I am greatly indebted to Professors Carl B. Swisher, Gottfried Dietze, Robert Tucker, and E. F. Penrose of Johns Hopkins University. Portions of this manuscript were also read by Dr. William Crawford of Colby College; Mrs. Jerome Schiller of Waterville, Maine; and Mr. John Eldridge of Washington, D.C. Mrs. John F. Fulton aided me greatly by typing the manuscript.

For assistance in tracking down and obtaining reports and documents about developments in Africa I am much indebted to the staffs of the Library of Congress, the Library of Johns Hopkins University, and the New York Public Library.

Above all, my thanks are due my wife, Edith White Rothchild, who tirelessly worked along with me at every stage of this endeavor. Without her continuous support, this task might never have been completed. Needless to say, I acknowledge full responsibility for all the opinions expressed in this work.

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PART ONE: INTRODUCTION

CHAPTER I

FEDERALISM IN TWENTIETH-CENTURY AFRICA

> "Let us face squarely up to the fact that within the Nation we can regain our self-respect and grapple with our local problems but that for the primary goals of economic transformation and well-being and peace, the Nation no longer suffices. Western European man today is paying the terrible price for preserving too long the narrow and inadequate instrument of the nation state. We of Asia and Africa are emerging into this world as new nation states in an epoch when nationalism, as such, can solve only the least of our problems and leaves us powerless to meet the more serious ones."—
>
> — Carlos P. Romulo[1]

The federal principle will demonstrate utility and flexibility in the twentieth century to the extent that it can be adapted to the underdeveloped areas of the world. Its record in the past, limited as it is to such prosperous Western countries as Australia, Switzerland, Canada, and the United States, is not sufficient in itself and serves only as an indication for the future. It is in the years ahead that federalism may have a chance to display its enduring qualities. And in Africa federalism faces a major challenge to its applicability to modern needs and conditions.

A re-examination of the problems of and motives for federalism in underdeveloped areas is important at this time because of the paucity of information on this subject and because of the fundamental questions it raises, questions which are particularly significant during a period of transition.

Colonialism is on the decline in Africa as elsewhere. This is due in large part to national pressures, the weakening of European influence since 1939, moral and ideological commitments, and the competition of the super-powers for ties of interest with the territories which lie along the international frontier. But what is to be the future of these territories once they have shaken off imperial obligations? Attachment to a different leading power is a possibility, but not the one for which an indigenous population usually strives. The normal objectives are self-government and independence.

Two paths to these goals seem likely in Africa. First, independent sovereign states may be established along present boundary lines. While this seems the simplest solution in the short run, it will in the long run retard tropical Africa's development and self-fulfillment and thus prolong the sense of inequality which pervades much of Africa. Small African states will certainly find themselves in no better economic or military position to compete with efficient land powers than do the smaller powers of the world today. Hence the second alternative, unions of contiguous territories along federal lines, seems a sound compromise with present-day realities. Such an approach can be an adjustment to local particularism on the one hand and to international power politics on the other. Thus it becomes a means to ease the transition toward African adaptations of modern political forms, to increase the political strength of an emergent area, and to contribute toward stability and equality, which must be fulfilled if these areas are to attain genuine independence.[2]

On the domestic scene the reasons for federalism are a direct consequence of powerful local loyalties in African society. The achievement of independence in southern Africa will strain central loyalties to the breaking point. Whereas a seemingly cohesive national force pressed the imperial power for concessions, a grant of independence or self-government will bring separatist forces into the open. The integrative energies generated by the struggle for independence cannot be depended upon to survive after independence is won. A responsible decision by the administering authority to bestow self-government on a colony presupposes conditions favorable to stable rule. However, this can be jeopardized by impassioned domestic disputes (inter-tribal, for example), which can render a state impotent if they accompany the process of birth.

Founding a nation under present-day conditions is a task beset with immense difficulties. These difficulties, domestic and foreign, are far more critical today than those encountered in the eighteenth and nineteenth centuries. No nation, large or small, can any longer afford the luxury of isolation. Ours is a century in which taking time for slow deliberation and easy adaptation may be fatal for a struggling young country. Therefore it is necessary to find a means to accommodate disruptive forces within unitary (or highly centralized) states. Because federalism can bridge certain chasms between particularism and a wider geographical outlook, its African advocates (in Ghana, for example) wish to superimpose it upon their functioning unitary system. Such a change from a unitary to a federal system will henceforth be described as the decentralization tendency.

Federalism is also adopted as a direct consequence of international

pressures as they are manifested in a decentralized world order. Underdeveloped areas are passing from colonial rule to independence or self-government at a time of heightened international instability. This causes the transition to be more difficult and more risky. An emergent state must, of course, guard its integrity against both neighboring and distant powers. In the absence of an institutional mechanism for adjustment, minor disputes with regard to local trade, treatment of nationals, border settlements, and even jealousies may well lead to a conflict between neighbors. Equally possible is the submergence of a young state into an expansionist orbit—such as that of Soviet Russia. To cast off colonial control only to fall into the grip of an aggressor, Communist or any other, would make a mockery of the long-sought goal of national independence. The possibility of such a travesty of independence is obvious to many nationalist leaders. A desire to avoid this "new colonialism" undoubtedly accounts in part for their movements, hesitant though they may be, to form "blocs" or even consolidations of their territories. The tendency toward enlargement, where it is embodied formally in a federal constitution, is facilitated in certain instances by a lack of strong state traditions on the one hand and by impelling centripetal forces, strategic and economic, on the other.

Both the decentralization and the enlargement tendencies are now in evidence in British Africa. For this reason British territories in Africa south of the Sahara Desert can serve as a valuable laboratory in which the observer can command a view of modern developments on a reduced scale. This study, after surveying the general applicability of federalism in modern Africa, will concern itself primarily with the enlargement tendency. The process of building and maintaining greater units in British Central, East and West Africa will be examined with an eye toward isolating common motives and objectives.

For the purposes of this investigation, federalism is understood to mean a form of constitutional government which distributes the power of the state among various governments, each competent in a limited sphere of activity. In external affairs, the state must be represented as but one subject in international law; in domestic affairs, the constitution allocates an ordered relationship between bodies coordinate in nature. In essence, federalism is a subtle concept of polity which can be molded to meet multi-national needs; essential to it, however, is a will to union, respect for regional diversity, and adherence to the federal compact (as determined by a constitutional court in case of conflict).

Such a definition assumes federalism to be a distinct form of polity.

It is not generally "a stage towards unitary government," as A. V. Dicey thought.[3] Experience with the federal form in Australia, Switzerland, and the United States, for example, is replete with evidence of a gradual centralization of governmental functions. In each of these cases cooperative federalism has evolved out of tensional federalism. Yet this evolutionary process has continued within limits and has left unimpaired the integrity of the federal system. Federalism has repeatedly displayed a remarkable capacity to sustain itself in the face of changing circumstances, including such disrupting forces as international wars and depressions. "The working of federal governments in war-time," avers Professor K. C. Wheare, "demonstrates quite clearly that in some situations at any rate there is ample adaptability in a federal structure."[4] Professor Wheare's qualifications are well advised, since recurring crises may untie the ingenious strands woven earlier by federal constitution makers, but short of these extremities there seems little reason to suspect a natural termination of the federal relationship so long as each government within the system shoulders its responsibilities and meets the legitimate needs of its citizens.[5]

If the federal state has a valid and useful existence in and of itself then it must be distinguishable from other forms of polity—unitary states, confederations, and leagues. An outstanding point of difference, and perhaps the key requisite for the existence of a federal state, is the maintenance of dual responsibility. Both the central and regional governments must be responsible for particular spheres of activity. As a consequence of this partitioning process, each government acquires powers through which it can command obedience, even though its competence is limited by law. Hence the power of state is legally exercised, in perpetuity, by the several governments of the federation. This phenomenon has developed historically out of the enlargement tendencies of past consolidations. "The determinate persons who declare, make or execute laws," A. D. Lindsay points out, "may be several and need not constitute one body, so long as their places and powers are set for them by the constitution, and provision is made for demarcation of their spheres and settlements of disputes between them."[6]

Since the unitary state lodges all power in the hands of one law-giver—whether it be a parliament, a dictator, or a constitutional monarch—it differs fundamentally in design from a federal system which permanently distributes power among coordinate governments. In practice the unitary state may appear similar to its federal counterpart; it may devolve interpretative and ordinance-making powers on subordinate local bodies. Yet the central law-giver remains omni-

potent at all times: on reconsideration it can always retrieve with impunity the powers it has delegated.

The distinction between federal and unitary states is more one of substance than spatial relationship. A number of states, among them the U.S.S.R. and the Union of South Africa, have established systems which are federal in design but unitary in practice.[7] Regional governments are in operation, but they are denied a sufficient measure of independence to be classed as coordinate bodies; they are clearly subordinate in status. Therefore, while it may be granted that these countries meet some of the paper prerequisites for a federal state, they do not fulfill the key preliminary condition of dual responsibility.

For these reasons South Africa will not be treated as of central importance in this study of the federal enlargement tendency in British tropical Africa. To be sure, South Africans increased their domain with the apparent inclusion of South West Africa within their realm, and they may contemplate further additions, such as the British High Commission Territories; but their practical applications are hardly federal and consequently fall outside the scope of this work. Where South African movements, such as Senator Heaton Nicholls' Federal party or the National South-West Africa party, have advocated a federal solution, their emphasis has usually been upon decentralization.

Confederations and leagues differ generally from genuine federations in their emphasis upon regional responsibility. The power of decision, particularly that relating to the purse, rests mainly in regional hands, leaving the central government less than supreme in any sphere of activity. Furthermore, citizens are directly answerable to regional, not central, legal control. "The great and radical vice in the construction of the existing Confederation," warned Alexander Hamilton, "is in the principle of LEGISLATION for STATES or GOVERNMENTS, in their CORPORATE or COLLECTIVE CAPACITIES, and as contradistinguished from the INDIVIDUALS of which they consist."[8] He maintained that such a relationship divested the central government of sufficient energies with which to carry out its obligations under the Articles of Confederation. The result was a central government subordinate to and dependent upon regional compliance.

These restrictions upon effective action at the center become even more marked in the case of the league-type of organization. In a confederation, the citizen might be expected to divide his loyalty between two governmental powers; this would not be necessary in a league. The states of a league retain sovereign powers and merely cooperate with their partners when it suits their purposes. No enforcement action taken under Article 16 of the Covenant could have

forced comlianpce on the part of the members of the League of Nations. This was demonstrated conclusively during the Italo-Ethiopian crisis. Therefore, one may conclude that federations differ from their more loosely-knitted counterparts in their arrangement of powers, a difference which is usually reflected in the speed and effectiveness with which each can operate under a crisis situation.

Our definition of federalism is based on the past experience of predominantly white, economically advanced nations such as Australia, Switzerland, Canada, and the United States. Their Western European heritages established certain common traditions in advance, facilitating the task of harmonizing differences of language, culture, religion, and politics. Federalism was in each instance a valuable means for accommodating these differences. Federalism applied to an underdeveloped area must compromise even more extreme variations.[9] Tribal contrasts are often pronounced, languages abound, religious discord is in evidence, and education, wealth, and economic advance widen cleavages already too pronounced. These divergencies make federalism difficult to apply in such areas. They further demonstrate that federalism itself may have to be redefined to meet new needs and circumstances. This is part of the challenge of emergent countries. It would be foolish dogmatism to approach the problem with doctrinaire formulas or to conclude in advance that adaptation is impossible.

African federalism is undeniably an aspect of Westernization. Modern federalism bears small resemblance to indigenous "federal" schemes of the past, such as the Ashanti Confederacy in the Gold Coast. The Asantehene, Osai Tutu, and his heirs succeeded in building a sprawling and extremely loose confederation of contiguous tribes. However, because the empire demonstrated little cohesiveness except when waging war[10] (a remarkable feat in itself), it does not seem a suitable basis for comparison with federalism in its present-day, national setting. Modern federalism, as opposed to tribal consolidation, ties various regional governments together in close harmony by such devices as quick modes of transportation and communication and efficient administrative coordination. Instrumentalities such as the telegraph, calculator, and airplane are indispensable adjuncts of modern government. Through these media, federalism can be adapted to the African scene, but it will cause a distinct transformation in its wake.

Professor Rupert Emerson has observed, "To extend democracy from the local face-to-face relationship to the great national scene of unknown masses of men may well prove not in fact to be an extension at all but the introduction of a new and quite different principle."[11] A

system like federalism, requiring wide dispersion of legislative, executive and administrative skills as well as a sense of common purpose throughout the nation as a whole, is not easily transferred to African lands just emerging from colonial status. If the desired benefits are to be achieved, a certain amount of Westernization appears to be both necessary and inevitable. In Africa federalism must accommodate external and internal pressures as well as serve as a bridge between traditional and modern forms.

Before turning to specific case studies of the reasons for federation in British tropical Africa, let us review some of the basic theoretical arguments advanced in favor of federalism as a form of government.

Clearly, federalism spreads power among a number of coordinate authorities. This limits the scope of possible authoritarianism, whether it be exercised at the center or in the regions. Such a system maximizes safeguards by leaving open numerous avenues for the expression of grievances.[12] Neither regional nor central officials are directly dependent on each other, creating circumstances which encourage rather than thwart dissent. Canadian federalism, observes Alexander Brady, "has tended to lessen internal tensions, for its legal rigidity is commonly protective of diverse cultural groups; it gives them on the whole some feeling of enduring security."[13] As long as the federation legitimatizes such differences (group or individual) under a constitution, limited government, with the security that it affords, is made possible.

In underdeveloped areas a distribution of power among coordinate governments may have stabilizing effects. African societies continue to maintain buoyant local traditions. To impose radical centralism on them at this time would be to deprive traditional groups of the meaningful role they now play, and thus risk the establishment of an alien and overbearing authoritarianism. Deliberate destruction of traditional institutions is a risky business unless there is reasonable certainty of the reaction which will follow.[14] Given an urgent need for decisiveness at the center, the wisest course that seems available is to utilize local institutions whenever possible. By building upon these institutions, responsibility can be spread and shared, thus giving the citizen some assurance of limited government in an age of uneasy centralization.

Similarly, a distribution of power among coordinate governments may spur experimentation at the regional and local levels. Whereas the unitary state tends to cramp bold innovations at these levels (by reserving all authority to the center, causing devolutions of power to appear limited and temporary in nature), federalism releases regional

governments from a number of external controls. This leaves regional governments free to grope with new forms as they see fit. "They are capable of directing their own concerns. Their interest in themselves is revivified and inspired by the responsibility for such direction."[15]

This freedom from uniform directives is particularly important to nations emerging from colonial rule. Their social as well as their political systems are undergoing a difficult transition. Many African societies, for example, are now fusing Western methods with traditional forms. The results of this mixing process are not likely to be final, and they are by no means similar from area to area. Each local township needs time to learn, by trial and error, what further alterations are essential. Consequently, uniform regulations would be out of the question if the goal is to permit Africans to arrive, by self-chosen means, at their own political formulas. What seems needed is a firm national foundation affording maximum possibilities for improvization and adaptation. Federalism is well suited for such an assignment. It offers coordinate regional governments an opportunity to experiment freely and then pass on the fruits of their experience to other governments also struggling with the same questions. "It is one of the happy incidents of the federal system," wrote Mr. Justice Brandeis, "that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country."[16]

Perhaps federalism is most clearly applicable to modern conditions for the most commonplace of reasons. It makes unity possible because of its attested capacity to tolerate diversities. If, through intolerance or overcentralization, national self-determination is forced to its logical conclusion, we may come to witness scores of nations in such heterogeneous territorities as the Belgian Congo, Nigeria, and Tanganyika. The division of India could be reproduced on a grand scale in multi-tribal and multi-lingual Africa. Federalism, then, is an integrative device which can cope constructively with the pressing centrifugal forces at hand in emerging underdeveloped areas. Since most emergent states can anticipate a natural plurality of interests, they must, if they are democratically inclined, find a means for accommodating diversity within their realms. "The co-existence of several nations under the same State," writes Lord Acton, "is a test, as well as the best security of its freedom."[17] To the extent that federalism can "encourage the spread of national toleration"[18] by integrating various nationalities within the framework of one state mechanism, it will assume real utilitarian value in an age typified by its

drives toward centralization and the self-determination of formerly subject peoples.

Unity clearly has its advantages in the present world of power politics. The small, weak state no longer fulfills a fundamental obligation of a political society—that of preserving the freedom of its subjects from foreign control. Hence comes the urge to join forces with like-minded nations, possessing territory, resources, and population which are complementary and which will enhance their mutual power and prestige. The giant states, abetted by the sheer magnitude of potentials they can command in a crisis, seem more likely to survive in an age of total war. Such factors as manpower, military preparedness, natural resources, capable leadership, decentralized industries, and space for maneuver are essential to a successful war effort under present conditions, and they are more likely to be found in a large than a small state.

The ability of federalism to accommodate centrifugal forces and thereby to enhance security has not gone unobserved by past theorists. Even some, such as Jean Jacques Rousseau, who seem instinctively to loathe the behemoth state, have praised federalism for its ability to combine "the external strength of a great people" with the "convenient polity and good order of a small State." [19]

In the same vein, Alexis de Tocqueville, another advocate of small nations as the cradles of liberty, concluded: "The federal system was created with the intention of combining the different advantages which result from the magnitude and the littleness of nations; and a glance at the United States of America discovers the advantages which they have derived from its adoption." [20] Both Rousseau and de Tocqueville preferred a world of small states; however, in each instance they were forced to adapt their theories to existing realities. It is not by chance that each settled upon the federal system as a means to circumvent their dilemma. Their choice seems virtually dictated by the flexibility inherent in such a system. What other form of polity offers an indivisible sovereignty under a constitution and, at the same time, a responsibility divided between governments coordinate in nature? This accomplishment stems from the artificiality of the federal system, but only such a man-created conception seems suitable under existing needs of both unity and diversity at one and the same time.

Tolerance of diversity is of particular importance under modern African conditions. In Africa, south of the Sahara, complications abound, because the differences involved are challenging in the extreme. Diversities are of such depth that it sometimes seems unlikely that any political community will result. Will federalism be able to surmount the impact of divisive forces in the African sub-continent?

If it is to do so, it will have to display even greater plasticity than was necessary in the "model" federations of Australia, Switzerland, Canada, and the United States. In short, if federalism is to grow and survive under modern African conditions, it may have to be adjusted to, and in turn may have to ease the adjustment of multi-racial societies and tribalism. Each of these deserves separate consideration.

If federalism is to demonstrate utility under the multi-racial conditions of southern Africa it will have to act as a balancing mechanism between dissimilar groups which wish to cooperate in the larger matters of union. Balance under such circumstances implies power limited by a constitution but sufficient to deter unwarranted intrusions. Such a voluntary balance of forces in the interest of general harmony must be contrary in spirit to the precepts of *apartheid.* For there must be neither a cultural prejudgment of superior worth nor a hegemony of power for any particular group in the federation. Rather, hegemony must inhere in the constitution of the federation—the rightful sovereign—which is responsible for distributing limited powers over the wide gamut of authorities which span the federation.

It must be recognized that the legalism of federalism may not interlock smoothly with the emotionalism of racial conflict. The myths surrounding race hardly encourage attitudes of compromise—attitudes which are indispensable to the satisfactory operation of a federal state. Certainly when an aggressive racial group gains hegemony, when it spreads its tentacles over the political, economic, and social fibres of a society, a federal solution may be of limited utility. Federalism must, by and large, correspond to the loci of power in society; if power is not decentralized, then it is hard to conceive of an effective federal system which distributes its power between coordinate authorities of government.

The working out of a federal system necessarily includes problems of space as well as power. Where racial groups mingle on a wide basis throughout a territory there is little likelihood that provincial borders can separate groups on the basis of race. Such societies as those of Kenya and the Federation of Rhodesia and Nyasaland are truly plural; they comprise "two or more elements or social orders which live side by side, yet without mingling, in one political unit."[21] The various communities are mutually dependent upon one another while remaining, for social purposes at least, compartmentalized and detached. Idealistically intended plans such as that of "Administrative Separation" (designed to divide a colony into two areas in order to separate the Native and non-Native communities)[22] would seem to be outdated because of the very obvious diffusion of European influence which has occurred in these territories.[23]

While federalism appears to be precluded *within* plural societies by a general acceptance of interdependence between races, it continues to demonstrate a possible means of adjustment *between* territories which are dissimilar in their racial compositions. Only in this respect, vital under present conditions, can it be hoped that federalism will ameliorate the relations between races in tropical Africa. Black Uganda and multi-racial Kenya may not share similar views in regard to Negro advance, but their economies are inextricably intertwined, leaving them little choice but to find a common basis on which to develop their mutual interests. How is this to be accomplished? Considering the tense and suspicious attitudes which prevail in each territory, clearly a very flexible system, such as federalism, is needed.

A loose inter-territorial scheme between the British East African Territories is now in its embryo stages; it could move toward a more conventional federal arrangement when the main causes of communal distrust are cleared away. Such a settlement would be likely to ease inter-racial relations further by facilitating border readjustments. Thus peoples ethnologically akin but separated by border barriers (such as those in Kenya's Nyanza Province and in adjacent Uganda) could be reunited. Moreover, the accommodations required of the various communities would be lessened, since provincial powers could help to protect group prerogatives for the foreseeable future. Thus, by delegating limited powers to a central government and by reserving extensive powers to local authorities, the grounds might be set for a joining of forces on a wider geographical basis.

If such an institutional scheme were prevented by the depth of hostile feelings between races, this would not be a reflection upon the federal system as such but upon the passions of racial antagonism. Federalism is an "artificial structure" [24] which depends for its existence upon rationally and freely-given assent. Federalism can only be the product of men cooperating to achieve a common goal. Federalism is in itself a compromise. It can steer a course between the divisions of a multi-racial society, but *only* on the basis of an active and willing coordination of efforts on the part of all groups involved. "Federation," as Rudolf Schlesinger has pointed out, "can make possible the cohabitation of different social groups dominating various territories only on condition that the aims pursued by those groups are identical, or at least compatible. . . . Certainly, federation is not an instrument for bridging social chasms that are further widened by the identification with national antagonism." [25]

This coordination of efforts, or what John Stuart Mill refers to as "a sufficient amount of mutual sympathy among the population," [26] is a primary prerequisite of federalism. If there is an insufficient meet-

ing ground among the elements of a federation, then federalism has little or no value. It is a form of statecraft that leaves a large measure of autonomy in the hands of local groups by design, while at all times maintaining a state in the true sense of the word. Federal citizens are left free to proclaim local loyalties, but they are obliged at all times to honor their central obligations. For this reason it seems clear that if the whole people of a given federation could not or would not pull together in a time of emergency, then the union would deservedly be deemed non-federal and also one of doubtful utility.

If, then, multi-racial states are to be realized on a wider basis in Africa, federalism offers a possible approach to this objective. Federalism's contribution may be its ability to gerrymander provinces so that they coincide generally with the racial composition of the population at hand. African and mixed communities would then continue alongside one another with a minimum of threat to local social relations and customs. Advantages of provincial autonomy might then be reconciled with the need for a wider geographical approach to economic, political and military problems. "The federal idea is the spirit of the pragmatic interdependence of the pluralistic universe and its theory is the basis of human association of any kind." [27] Surely this can include relations between the races. Two rare qualities are needed, however: self-restraint and understanding. Whatever encourages these also pierces deeply into the mistrust and misunderstanding which at present divide group from group and man from man in southern Africa.

Federalism also may ease tensions between African tribes. With but few exceptions, the African of the tropics still looks to the tribal unit as his focal point of loyalty and obligation. Although tribal units are no longer the sole source of political power and attraction in tropical Africa, their position remains well entrenched. Tribal members continue to "claim unity on the grounds of their conception of a specific common culture" [28]—the very definition of a potentially enduring relationship, whether because of inertia, tradition, or the "deliberate perpetuation" of an educated élite.[29] Basic modifications in the "old tribalism" are under way, but destruction of these indigenous institutions seems unlikely.

If more extreme theories of national self-determination (which identify national culture groups with statehood) are to be applied literally, tribal communities in southern Africa might well look forward to the recognition of statehood, regardless of their territory, population, or resources. For all practical purposes this would condemn Africa to frustration and impotence—and in a very real sense to the inequality which is at present a main cause for bitterness. The grievances

which might result from this fragmentation process could be fatal to the tribal communities themselves, since many small tribes would not be capable of functioning on their own as modern political units.

The irony inherent in the extreme alternatives of tribal self-determination and destruction of tribalism lies in the tendency to miss the central and very real contributions which traditional institutions can make under modern African conditions. These institutions can be utilized as important lesser loyalties within a larger social framework which reinforce allegiance to the whole.[30] These are the "little platoons" of indigenous Africa through which the individual avoids isolation and gains a sense of belonging to the whole. No doubt trans-tribal obligations would have to be considered primary, as in any twentieth-century society, but the continuing utility of the tribal unit as a bridge to modern African forms seems indisputable.

Clearly, compatible tribes must be integrated along wide geographical lines wherever feasible. Significant advantages would accrue from integration. First, modern African boundaries are a senseless and unsettling heritage of the European partition of Africa. These frontier lines run haphazardly through tribe and village, indifferent in the extreme to African ties, traditions, and linguistic patterns. At least two frontiers split the Ewes, the Masai, and the Nzimas. If this continues, with all that it means in terms of gradual adaptation to varying forms of administration, it is bound to lead to an undermining of either state or tribal authority. The conflict of loyalty between state and tribe would leave ugly scars which only centuries might erase. Therefore, stability—the watchword of present administrators—would seem to be promoted for the long term by a policy which emphasized states based upon traditional and common African heritages wherever they existed, and not by maintaining the present restrictive boundaries. Political units of sufficient magnitude to be meaningful in international affairs could then be built on an indigenous African base. This would also avoid the potential minority problem which present African territories seem certain to face when their boundaries cut through tribal units.

Second, unless tribes pool their efforts on a wide scale—at least for international purposes—they will be inviting the fate of all small states. Political, military, and economic weakness is an invitation to external control of some sort, the very threat which modern nationalists are so intent upon escaping. One possible solution, as suggested by E. H. Carr, is "to retain large inter-continental military and economic units (not necessarily the existing ones in every case), but to establish within these units a far greater measure of devolution and an

immense variety of local administration rooted in local tradition, law, and custom." [31]

The difficulties in the path of setting up provincial councils and federations of local administrative units based upon the tribal system are well known in the annals of British colonial administration. Neighboring tribes are likely to resist such institutional arrangements, which compel a legal or political—rather than a traditional—adjustment of conflicts between contending groups. Nonetheless, the need for closer union may well serve to father larger and more viable associations, perhaps along federal lines.[32] For this reason, the enlargement tendency which is being consummated in Nigeria, prior to a grant of full self-government, will be examined here with interest, for it should reveal the strains attendant to federalism in a heterogeneous country divided primarily along tribal and religious lines. Nigeria's successes, particularly if they prove enduring, may well encourage other attempts at larger union based upon groupings of tribal units.

With this as background, the struggles for federation in British East, Central, and West Africa will be studied. Our examination should help to clarify why white and black Africans alike have converged on the federal form as a means for enlarging their sphere of operations. It is a story of accommodation and power, of boundless visions and deeply ingrained fears. It is the tale of our divided world in microcosm.

PART TWO: EAST AFRICAN FEDERATION

CHAPTER II

POLITICAL DEADLOCK IN EASTERN AFRICA

> "I . . . had not been in East Africa for long before I realized that everyone was frightened of any idea of political federation."
>
> — Sir Samuel Wilson[1]

Just as men can want peace and go to war, they can want the advantages of federation while opposing every progressive step to this end. In the 1920's the African, European, Indian, and Arab communities of Kenya, Uganda, Tanganyika, and Zanzibar[2] all sought the benefits of federation without wanting to make any sacrifices for it. Like autonomous entities operating in separate worlds of different dimensions, they focused upon federation while twisting it to meet their special desires. For them federation became a political mechanism of infinite variations as well as one capable of arousing virtually unlimited suspicions. The latter aspect became clear as soon as other elements (the Imperial Government and commercial interests) prodded the communities in East Africa to the point of action. This brought the depth of local discord to the surface. Federation soon became a symbol of mutual distrust to such an extent that parliamentary authorities found it necessary to call a halt to further discussion on this issue until new times and more auspicious conditions arose.

Although political federation did not prove sufficiently elastic to reconcile the stresses of East African politics, an appraisal of the major factors in this connection may well prove more valuable than the study of a more successful and easier experiment with federalism, for it is likely to expose the limits of strain under which no community of interest is feasible. The possibilities of tension in a plural society are ever present. When pushed to the point of militancy, no solution short of overwhelming force, not even federalism, can cover the deep cracks which divide community from community.

With the termination of the First World War and the transfer of Tanganyika to British authority as a mandate, new possibilities for British African statesmanship seemed to have dawned. To be sure, the question of amalgamating the Protectorates of British East Africa and Uganda had been considered on a number of occasions,[3] but a

redoubling of the extent of British territory in eastern Africa made this unification more attractive than ever. The Colonial Office did not tarry in expressing official interest, and even support, for the project. The Secretary of State for the Colonies, then Winston Churchill, told representatives of Kenya and Uganda on January 27, 1922:

"There is one other question I will touch upon. That is the scheme, which has been in so many minds, to amalgamate the four countries of Kenya, Uganda, Tanganyika, and Zanzibar. This would make a magnificent whole, and there is no doubt that many of the problems —railway problems, financial problems, which present themselves to-day in each of these four countries, can [*sic*] be solved on a higher plane and with greater advantage if there were a united superior organization for the whole of those regions. . . I look forward undoubtedly to a day when a great East African Federation, almost an Empire, will be created, with a common energy and with massed and pooled credits and resources, by which every member of that Federation would be benefited." [4]

Churchill's words were received both with approval and suspicion. Sir Robert Coryndon, soon to be appointed Governor of Kenya, read a paper to the African Society in London in which he expressed the hope that Churchill's proposal for an East African confederation could be achieved within a "reasonable" time.[5] In Kenya, however, settler opinion was "frankly skeptical" of any plan which might enhance the power of the Colonial Office at their expense. Kenya Europeans feared their submergence to non-European interests if East Africa were unified into one dependency, a reaction which paralleled that in Uganda, where the Africans feared the dominance of Nairobi should the territories be amalgamated.[6] This pattern of local response was symptomatic of things to come.

While Churchill's expectations were not fulfilled, the idea of East African union remained an undercurrent in British politics. Public interest revived with Sir Sidney Henn's motion in Parliament urging the Secretary of State to send a Royal Commission to East Africa to report upon the practicability of coordinating policy and services throughout the area. This was to be the first necessary step toward an East African federation.[7] For Sir Sidney the principle of federation was acceptable without question; the Commission's task, as he viewed it, was to secure local attitudes upon and support for the plan.[8] It is interesting that at a later date he was to reflect sadly upon the Commission he was responsible for promoting, for, in his words, "the Report begins badly by throwing overboard my pet baby—Federation." [9]

Mr. Ormsby-Gore, who was later to head the Commission himself, seconded Henn's motion and declared, *inter alia,* that East African development would be facilitated if a more effective unit were established than presently existed. "The only hope in East Africa as a whole," he declared, "is to have one Civil Service, one Medical Service, one Veterinary Service, one Agricultural Service, and especially one Native Commissioner Service." [10] His visit to Northern Rhodesia, Nyasaland, Tanganyika, Uganda, Kenya, and Zanzibar brought these seemingly simple objectives into focus with local conditions.

At the outset the Ormsby-Gore Report rejected the idea of federation, at least for the time being. The need for greater understanding and cooperation was manifest, but the Commission deemed any scheme of institutional unification along federal lines to be impractical if local attitudes and administrative difficulties were taken into account.

"We found little, if any, support in East Africa for the idea of immediate federation, and in some quarters we found definite hostility. We received a memorial against federation from the King and native Government of Buganda, and discussions which had taken place in parts of Kenya immediately prior to our arrival revealed that the suggestion was viewed with more than a little suspicion by all sections of European opinion in Kenya. All shades of opinion in Zanzibar are hostile to federation, and we also received representations against federation from various Indian Associations throughout the three northern territories. But, apart altogether from these expressions of opinion, we came definitely to the conclusion that any attempt at federation would be premature. Geographical conditions and the lack of communications would be a serious obstacle. Federal government would be expensive and cumbersome: it would curtail in many directions the freedom of action which now belongs to the local Governments, and would lead to delay in all local government matters which require reference to the Secretary of State." [11]

The Ormsby-Gore Commission found only one practical means of coordination suitable under East African conditions of that time—conferences between the Governors and between the technical services. It was suggested that Governors' Conferences should be held periodically. Topics for discussion should include such matters of general concern as Native administration, communications, taxation, land policy and labor.[12] This suggestion was accepted and a Governors' Conference convened in 1926. That the Commission gauged public sentiments accurately can be attested to by the events of the next six years. During that period East Africa was beseiged with reports and commissions dealing with the problem of closer union, but no

institutional mechanism of a political nature resulted.

The idea of East African union might well have rested on its accomplishments up to this point (a common approach to such technical problems as customs, railroads, research, and roads had also been adopted by some of the territories, particularly Kenya and Uganda), if it had not been for an upsurge of settler interest in closer union. Led by such expansive enthusiasts as Lord Delamere, the Europeans of Kenya compensated for their numerical weakness by their effectiveness as politicians. They asserted that Englishmen transplanted to the soil of Africa continued to be jealous of all their true-born rights under the Crown, a claim which led to the demand for responsible government in Kenya as well as to one for closer union in East Africa. The former demand took the shape of a continually thwarted desire for an European-elected, unofficial majority on the Kenya Legislative Council; the latter, a vision of an East African Dominion. The reasons for this new-found interest in closer union shall be discussed in detail later, but for now suffice it to say that the desire for closer union cannot be understood apart from the concurrent demand for a free hand in the local affairs of Kenya. Unless the settlers of Kenya were to be granted responsible government on their terms, they would resume an attitude of indifference toward, and even hostility to, federation.

The settlers, activists to the core, made their demands known in dramatic fashion. In three successive unofficial conferences, groups of European settlers met in part to discuss common problems and in part to demonstrate white solidarity in the highland plateaus which extend across the artificial boundaries of the area.

The first meeting, at Tukuyu in southern Tanganyika, was sponsored by Lord Delamere in October, 1925. He generously played host to unofficial delegations from Northern Rhodesia, Nyasaland, Tanganyika, and Kenya. The purpose of the Conference, he stated bluntly, was to promote "the solidification of the white ideal," and to unite the settlers against any policies of the Colonial Office which might be detrimental to their interests.[13] Several resolutions were passed calling for more white settlement and opposing governmental encouragement of African agriculture.

The Conference did not arrive at any agreement upon the issue of federation; hence the matter was quietly but pointedly skipped over when the Conference made public its list of resolutions. This was perhaps explained by an article in the London *Times* which maintained that the delegates from Northern Rhodesia and Kenya held a mandate which forbade them to support any resolution which advocated federation. While the delegates of all territories privately en-

dorsed inter-territorial coordination, they could not lend public support to federation unless their Government consented.[14] Under these conditions the results of the Conference were necessarily vague.

No new political machinery was established, and the resolutions which were pronounced might easily have been cast into limbo by the ruling officials in London and East Africa. In time the delegates were to be rewarded fully for their efforts, as several of their resolutions were to be accepted by the Governors of the East African territories, but they could hardly have foreseen the nature of their success as they left Tukuyu that October. What they did feel, however, was that Tukuyu had laid the foundation for united European action in the whole of eastern Africa.[15]

The second conference of unofficials was held at Livingstone, Northern Rhodesia, in September, 1926, and was attended by a delegate from Southern Rhodesia in addition to the four unofficial delegations represented at Tukuyu. In effect, the proceedings of the Livingstone Conference differed little from those of its predecessor. Various resolutions endorsed those passed at Tukuyu and noted with disfavor that there had been no material advance toward the devolution of governmental powers upon the unofficials since the last meeting.[16] Other resolutions called for an end to the open-door policy on imports, censorship of movies to be exhibited before non-Europeans, and an extension of the Kenya system of detention camps and Native registration.[17]

On the subject of federation, however, there was little consensus. When the subject came to the attention of the Conference, it was opposed by both the Kenyan and Northern Rhodesia delegations. The Kenyans deemed federation premature[18] and the Northern Rhodesians feared a link with the "black north" as well as the "uncertainty of the policy of the Colonial Office towards Asiatics in Kenya and Tanganyika."[19]

The third and last unofficial conference was held at Nairobi in August, 1927. Delegates from Uganda joined the four delegations of Northern Rhodesia, Kenya, Tanganyika, and Nyasaland. This (Nairobi) Conference attempted to make the unofficial conference a permanent feature of East African life by establishing a secretariat at Nairobi. These parting gestures proved to be of no avail, for the third Conference showed conclusively that this medium of communication, solidification, and pressure had largely served its purpose.

Nevertheless, it was this final Conference which displayed the most open and unqualified interest in federation. In his address from the chair, Lord Delamere lent his full support to the federation idea for the first time at any of these unofficial conferences.[20] The White

Paper of 1927,[21] issued by L. S. Amery, Secretary of State for the Colonies, indicated the possibility of official backing for federation on terms favorable to settler interest. Yet despite these hopeful signs, the Nairobi Conference was to conclude without passing a concrete resolution setting out its position on the question.

In one respect the unofficial conferences had a success which must have surpassed the aspirations of even the ebullient Lord Delamere. Meeting barely three months after the conference at Tukuyu, the first Governors' Conference took full cognizance of the resolutions passed by the former. The Governors of Kenya, Uganda, Tanganyika, Northern Rhodesia, Nyasaland, and the Resident of Zanzibar, meeting at Moshi near Mt. Kilimanjaro, accepted a resolution officially favoring white settlement in all the British dependencies of East Africa as well as another urging officials to discourage, and possibly prohibit, Africans from growing Arabica coffee. The latter resolution represented a distinct victory for the settlers of Kenya and Tanganyika, even if the Governor of Tanganyika, Sir Donald Cameron, complied by merely taking the position that Native cultivation of Arabica coffee should not be encouraged officially in European areas.[22] The impact of this success so heartened the European community that the unofficials proposed to establish a formal connection, albeit advisory, between their conferences and those held by the Governors.[23] These aspirations were to be dashed by the events which followed, but they represent an interesting sidelight into a development which, if unimpeded, might have ushered in closer union or at least made a strong stride in that direction.

In effect, the Governors' Conference of 1926 represented the first tenuous official step toward political links between the British dependencies of East Africa. After matters of common interest were discussed and resolved upon, arrangements were made for future conferences[24] and for the creation of a permanent Secretariat to be set up in Nairobi. Expenses were divided as follows: Kenya, £1,750; Uganda, £1,750; Tanganyika, £1,750; Kenya and Uganda Railway and Harbours, £1,500; Zanzibar, £500; Nyasaland, £350; Northern Rhodesia, £250; and the Sudan, £250.[25] These expenses are an indication of interest in East African union in 1926, for the greatest costs were borne by the northern tier territories, which were most concerned, while the least expense was borne by those territories on the periphery, namely the Sudan, Northern Rhodesia, and Nyasaland.

Opinions as to the success of the Governors' Conference vary sharply. Sir Edward Grigg (later Lord Altrincham), as Governor of Kenya and perhaps the most prominent spokesman for closer union, ridiculed the "fatal weaknesses" of this advisory body. His com-

plaint was based on two counts: (a) that the decisions of the Governors' Conference had no constitutional standing regardless of the assent of a large majority, and (b) that the Conference possessed no executive authority to lend continuity between sessions or to carry out resolutions, even when these were voted unanimously.[26] For Sir Edward Grigg the 1926 Conference was a failure.[27]

Sir Donald Cameron, the Governor of Tanganyika and an outstanding critic of closer union, came to the opposite conclusion. He judged the Governors' Conference a success when rated in terms of its purely advisory objectives. The Conference of 1930, Sir Donald Cameron told the Joint Committee of Parliament, was able to solve such delicate questions as that of protective duties. Its accomplishments proved to his mind that "the most difficult questions can be adjusted [by the Governors' Conference] without friction, and to the benefit of the three countries." [28]

No final evaluation could possibly be made here between these two poles of opinion. Several observations are pertinent nonetheless. First, under post-war conditions practically all communities in East Africa had come to the conclusion that the Governors' Conference was inadequate, even when they opposed a change in the governmental structure of that region for political reasons. This was due in part to the inadequacies of wartime administration, in part to the wider goals of post-war life, and in part to the clumsiness inherent in such advisory structures. Secondly, Sir Charles Dundas, who opposed closer union as conflicting with African interests by entangling them in the affairs of Kenya,[29] departs noticeably from the path followed by his Tanganyika predecessor, Sir Donald Cameron. He writes significantly that "The Conference had always struck me as rather futile and, so far from drawing together the several territories, it seemed to accentuate disparities between them." [30]

Other factors besides the various official and unofficial conferences and their undercurrents deserve mention as indicating a new tide of interest in the idea of federation, both among responsible colonial officials and among the European settlers of the East African highlands.

For one thing, the appointment of Sir Edward Grigg as Governor of Kenya in 1925 touched off a spate of rumors. Many local residents assumed that Colonial Secretary Amery had selected Sir Edward for the express purpose of bringing about closer union,[31] a view held by Sir Donald Cameron among others.[32] Lord Altrincham (Sir Edward Grigg), substantiates these rumors to a great extent in his memoirs.[33] But the general mystery surrounding Sir Edward's instructions remains a curious feature of the federation problem, because if Mr.

Amery (who appointed Sir Edward and was himself a leading advocate of closer union) had made his intentions clear, then officials throughout East Africa would have been compelled to fall in line with his policy or to resign. By playing his cards closely he encouraged a protracted debate and in fact contributed to the defeat of the very project which he wished to implement.

A second factor indicating the high tide of federation sentiment was the 1927 election manifesto issued by seven of the European elected members of the Kenya Legislative Council. This manifesto is particularly significant, for it openly linked the demands for a European elected majority on the Legislative Council with the question of closer union between Kenya, Tanganyika, and Uganda. However, not only was the latter contingent on the former, but the manifesto provided for additional safeguards which, as summarized by Marjorie R. Dilley, were:

"(1) that each state must remain a separate entity with its own constitution and government;

"(2) that no hindrance shall be placed to any one territory advancing toward self-government on constitutional lines;

"(3) that the finances of each territory shall be controlled by its own legislature; and

"(4) that the seat of the High Commissioner for the territories must be in Nairobi." [34]

The settlers advanced this dual program of responsible government and closer union at just this juncture because they sensed an opportunity which might never be repeated. Closer union covered over their more immediate objective—self-government. Furthermore, in Sir Edward Grigg they found a friend, if not a very articulate spokesman. This interest in closer union rose steadily until it became apparent that responsible government was out of the question; at that point enthusiasm for closer union ebbed away and virtually disappeared from the scene.

The third and last factor indicating a resurgent interest in federation was a White Paper, *Future Policy in Regard to Eastern Africa.* This Paper was issued by the Colonial Office after Amery had held a conference with several of the Governors and senior officials from East Africa who happened to be in London at the time.[35] Sir Donald Cameron makes it clear in his memoirs that the conference must have been a rather one-sided affair in favor of closer union, for he was forced to play a lone role as His Majesty's colonial opposition.[36] Nevertheless, he was quite effective.

The document which resulted was irresolute and evasive, an outcome that evoked strong criticism from all those fatigued with the

recurrent detours of the parliamentary process. To be sure, the White Paper considered that "some form of closer union between the territories of Central and Eastern Africa appears desirable, more particularly in regard to the development of transport and communications, customs tariffs and customs administration, scientific research and defence."[37] But the White Paper avoided any commitment to specific policies or plans. It simply authorized the appointment of a special commission and thus delayed an open debate.

The extent to which the Cabinet restrained Amery from taking a bolder stand in support of closer union at that time is unclear. Amery writes in his memoirs that "it soon became clear that to secure Cabinet consent to actual federation I should have to produce some authoritative backing independent of the views of the Colonial Office." [38] He therefore appointed what was to become known as the Hilton Young Commission and thereby opened, indirectly, the flood gates to discussion, dissent and eventual defeat for his policy.

The British Government charged the Hilton Young Commission with the task of recommending whether federation or some other form of closer union should be adopted in East and Central Africa for the purpose of securing more effective cooperation between the various territories. The Commission was also to make recommendations regarding possible changes in the powers and composition of the various Legislative Councils (a) as a result of any proposal for closer union, (b) so as to associate the immigrant communities more closely in the government, and (c) so as ultimately to secure more direct representation of Native interests in the affairs of their territory.[39] The Commissioners, Sir E. Hilton Young, Sir Reginald Mant, Sir George Schuster, and Mr. J. H. Oldham, took full advantage of the exceptionally wide latitude implicit in these terms of reference and produced a document of lasting significance for all interested in the intricate problems of colonial administration.

The Commission found four general reasons for advocating the establishment of a central authority in East Africa: to form a consistent Native policy throughout the region, to set up an organ with sufficient power to arbitrate between the races, to coordinate certain of the common economic services, and to institute a local body capable of representing the Secretary of State directly while at the same time remaining accessible to local opinions and advice.[40] Nonetheless, the Commission thought the time was not yet ripe for establishing closer union.[41] Communications were not sufficiently developed to meet inter-territorial needs, and local public opinion was not ready for constitutional changes which would entail the transfer of substantial legislative powers from the territories to a central authority.

In truth, vested interests had already come to establish themselves within the arbitrary territorial confines of East Africa.[42]

This left the Commission little alternative but to suggest a continuance of Imperial control. Such restraint, they felt, was essential in order to prepare local opinion for future constitutional changes, to act as a balance between the races, to establish a consistent Native policy throughout the region, and to fulfill international obligations. Even though the Commission recognized that the local communities had a legitimate claim to progressive political development in line with their training and capacities, their recommendations clearly favored a continuance of Imperial control to any significant widening of the scope for local initiative. For while an unofficial majority was proposed for the Kenya Legislative Council, it was more than counterbalanced by the proposal for a solidly official Executive Council and for a distribution of seats on the Legislative Council which would assure the official members a casting vote in the event that a split took place between the racial communities represented on the Council. It was hoped that this distribution of seats on the Legislative Council would encourage cooperation between the races as well as a territorial, rather than a strictly racial, view in respect to common problems. Where this broke down, the balance of power would always remain in official hands and at official discretion.

The Chairman dissented from both these provisions. With respect to the latter he argued that responsible government with a majority of elected representatives in the Kenya Legislative Council is appropriate where a central authority is empowered to act as an efficient arbitral influence between the races. "While professing to abolish the rule of the official majority (which is our declared purpose), it [the Report] undoes with one hand what it does with the other," [43] he stated. He therefore proposed an alternative scheme which drastically reduced the role of British officials and, for the most part, substituted in their stead Europeans nominated to represent either general or Native interests.

Although the Report confidently looked forward to closer union between Kenya, Uganda, and Tanganyika, it saw as a prerequisite to any transfer of powers from the territorial legislatures to a central legislature "the growth of confidence based on practical experience."[44] The links which connected these three territories with Nyasaland, Northern Rhodesia, and Zanzibar (particularly through the Governors' Conference) should be continued, but, for the time being at least, it was proposed to build closer union upon the limited structure of the northern tier territories.

The building process was to be fostered by a three-stage scheme of

development. In the primary stage, the Report proposed to create a common executive authority in the person of a High Commissioner. He was to represent the Secretary of State on the spot and was charged with such functions as supervising territorial legislation on broad matters (specifically leaving him room to effect Imperial policy and to protect the interests of any racial community), launching enquiries on such subjects as Native policy, and giving instructions to the Governors on matters falling within his scope as an inter-territorial authority (particularly common services and Native policy). In essence, the High Commissioner was to be superimposed upon the existent structure of East African political institutions. He was to rely largely upon consultations with the Governors in conference. "This would in fact amount to a continuation of the existing Governors' Conference, subject to the important addition of an independent chairman endowed with full powers to make a decision and issue orders for its execution." [45]

In the second stage a Governor-General would be assisted by an Advisory Council and various technical conferences. Thus a gradual shift of legislative authority over matters of common interest from the three territorial Legislative Councils to a single inter-territorial body would begin. The Advisory Council would then be composed of the three Governors or those they designated, and an undetermined number of non-officials representing the various communities in each territory. The Governor-General would exercise some legislative authority as well as a general executive authority with respect to the common services, but, as before, the status of the territorial Governors would remain basically unaffected. It was only in the third and final stage that the status of the three Governors would be reduced to a position analogous to that of lieutenant-governors. In the last stage the Advisory Council would give way to a central legislature which possessed control over common services and revenues.

The Commission planned a unitary and not a federal state; it deemed federalism impractical primarily because of the pervasive nature of Native affairs. Since these concerns touched almost every department of government, the Commission saw no basis for a division of powers between the central and provincial governments. The Report asks:

"Would it be possible through an arrangement of this kind to retain in the hands of the central government those matters which are of Imperial importance, including the ultimate decision of racial issues, and to leave open a field in which Kenya might enjoy responsible government? To effect a federation on these lines it would be necessary, as in all federal constitutions, to make a division of sub-

jects between the two authorities, and a clear-cut demarcation of spheres would be all the more essential, since the two governments would be based on opposite principles, the one being responsible to a popular electorate and the other to the Imperial Government. It is at this point that we are brought up once more against the fundamental difficulty to which attention has already been called, of separating out native affairs as a distinct subject. No clear-cut division of subjects into those which do and do not affect native policy is possible, and a control exercised for the purpose of enabling the Imperial Government to discharge its responsibilities in this matter must cover the whole field of government." [46]

Federalism, then, was rejected because the Commission anticipated overlapping, and hence conflicting, jurisdictions. The solution eventually consummated by the Federation of Rhodesia and Nyasaland (leaving African affairs in the protectorates under Imperial rather than federal control) was spurned here. Yet at the time the Commission came to its pessimistic conclusion, eastern Africa constituted a large area only poorly connected by transportation and communications. The diversities of social existence were striking.[47] How, under such conditions, would a central authority formulate uniform directives for all its subjects which would be administered effectively while leaving adequate room for local initiative? Perhaps the directives might have been sufficiently broad in scope to accommodate various group demands, but such accommodation would seem to defeat the central purpose behind the unitary state and its uniform Native policy. When the stubborn diversities of East Africa are respected, such wide powers of devolution would seem to be required that the consequent pattern would likely reproduce a system akin to federalism.

The reaction to the Hilton Young Report was electric in many quarters. The settlers of Kenya resented the limits placed upon their advance toward self-government and saw the Report as a ringing challenge to their fitness as trustees for the African. They viewed with alarm the appointment of a High Commissioner entrusted with "wide executive powers" but not assisted by any constitutionally-established body. In short, it seemed to them as if the Constitution of Kenya Colony was suddenly to be subordinated to a local representative of the Colonial Office. Anticipations of African participation in the central government were considered premature. Moreover, the revival of the question of the common roll was regarded as an unnecessary irritant, for the European community considered this issue settled by the White Papers of 1923 and 1927. In settler eyes these last features amounted to a blow at white hegemony, an af-

front unlikely to endear the Commission's terms for closer union to this community.[48] The Hilton Young Report "converted the federation plan from a device to extend white settlement into a device to protect native interests more effectively."[49] No wonder, then, that the white settlers were soon to join the other communities in repudiating the need for immediate federation. Their enthusiasm had been quashed by the Commission's insistence upon a continuance of the policy of trusteeship—directed from London.

For rather different reasons, Sir Donald Cameron urged that Britain "should not come to hasty conclusions as to the benefits to be gained by the unification recommended."[50] He feared for Tanganyika African interests if the mandated territory were linked with settler-dominated Kenya. Yet Sir Donald did come to recognize the advantages of closer association, for he wrote later in his memoirs that if that question were again considered he would support the system of approach recommended by the Hilton Young Commission, provided that the political situation in Tanganyika as it effected the African had hardened.[51] This revelation is interesting since it comes from such a doughty opponent of closer union.

But no group was to react more violently to the Report than the German Government, a reaction which naturally touched off anxious speculation in Britain and East Africa. The Germans seized upon the Hilton Young Report as evidence of Britain's intent to fasten its grip permanently upon their former colony.[52] Their representative on the Permanent Mandates Commission warned that: "The report's ultimate aim is to form a centrally administered territory, consisting of the three areas mentioned above, which are destined to become provinces within this territory. Such a measure would, however, deprive Tanganyika of its character as a mandated area. According to the principle of the mandates system, a territory under mandate must remain an inviolable unit, and can, therefore, never be absorbed into another territory of the mandatory power not subject to a mandate."[53]

The attack was also carried to the League Council. Dr. Stresemann admitted that Article 10 of the Tanganyika mandate permitted union with adjacent territories for administrative purposes. However, he declared that "there could be no question of any confusion arising which would call in question the existence of the territory under mandate as a politically independent unit, and which would consequently render doubtful the permanency of the League's control over the execution of the mandate."[54] Germany, in short, feared the loss of privileges guaranteed under the mandate and viewed closer union as a subterfuge for British annexationist designs.

The British Government acted quickly to allay international suspicions caused by the Hilton Young Report. Mr. Henderson assured the League Council that it would be notified prior to any decision upon closer union, so that it might have an opportunity to consider the question.[55] However, by publicly pronouncing their suspicions the Germans did make British officialdom firmer in its resolve to hold on to the Tanganyika mandate. Baron Lugard, for example, asserted that "the Treaty of Versailles and the mandate do not contemplate any relinquishment of the trust until the inhabitants are able to stand alone, and any transfer would be a deliberate violation of assurances made to the people." [56]

The issue perpetuated itself through the 1930's, playing its part in the poisoning of relations between the two governments. Although the idea of returning the territory to Germany was considered, as a concession to the peace of Europe, the surrender of the mandate never went beyond the stage of interested speculation. For so far as the British Government was concerned, according to Mr. Anthony Eden in 1936, "the question of any transfer of Mandated Territories would inevitably raise grave difficulties, moral, political and legal, of which His Majesty's Government must frankly say that they have been unable to find any solution." [57] Thus the issue persisted and became the cause of much uncertainty to settlers, investors, and administrators of Tanganyika. It even impelled some to look to federation with Kenya and Uganda as a means of dispelling the atmosphere of uncertainty surrounding the mandate.[58]

Even during this period of British-German tension over the status of the Tanganyika mandate, Mr. Amery went forward with his plans for an East African union. In January, 1929, before publishing the Hilton Young Report, he called together another Colonial Office Conference to which he invited the Governors of Kenya and Tanganyika. Again Sir Donald Cameron played a lone hand, and again the consequence of the Conference was a decision to dispatch another mission to East Africa. This time Mr. Amery sent his right-hand man from the Colonial Office, Sir Samuel Wilson, for the purpose of negotiating a compromise plan with the adamant settlers.[59]

Sir Samuel reported back to the new Labor Secretary of State (Lord Passfield) that he "had not been in East Africa for long" before he realized that "no little doubt and anxiety" [60] had been caused by the Report of the Hilton Young Commission. By the time of his visit all communities had come to fear closer union and the prospect of a High Commissioner who had wide powers at his disposal. This made his task of negotiation a difficult one. Nevertheless, he was

able to surmount settler suspicion and return to Britain with their agreement to his proposals.

That the Indian and African communities never expressed approval opened the way to criticism;[61] yet despite this serious shortcoming, the Wilson proposals remain of interest as a guide to both settler and Colonial Office thinking, at least before the advent of the Labor Government.

At the time of Sir Samuel Wilson's visit, representatives of the European community generally assumed that an unofficial majority on the Legislative Council of Kenya would follow as a matter of course if the territorial Legislative Councils handed over significant powers to a central authority. Sir Samuel Wilson's formula did concede an unofficial majority to the Kenya Legislative Council, but it also left the elected European members in a minority. The latter would be represented by fifteen members on a Council of forty-two; however, these elected Europeans would have to find support for any legislation from outside their group (from the twelve Officials, the six elected Indians, the elected Arab, and the eight Europeans nominated to represent Native interests).

Sir Samuel's proposals represented an attempt to reduce the three stages of the Hilton Young Report to one less drastic in its proportions. He recommended the appointment of a High Commissioner who would act as chairman of the Governors' Conference and would also exercise control over essential common services. The High Commissioner would be advised in legislative matters by a Central Council on which there would be an official majority. The powers of this Council were strictly limited to transferred subjects, a safeguard demanded by all the communities in East Africa.

However, Sir Samuel's most crucial divergence from the previous Report was the proposal to leave Native affairs in local hands. "The chief need in Eastern and Central Africa to-day," concluded the Hilton Young Commission, "is that there should be applied throughout the territories as a whole, continuously and without vacillation," a consistent Native policy.[62] Sir Samuel did not disregard this entirely, for his High Commissioner was to act, if desired, as the President of the Kenya Native Lands Trust Board. What he did do, however, was to emphasize the essentially local nature of Native affairs and thereby to remove this question from the issue of closer union. At the time this recommendation was received with disapprobation in many quarters.

Nonetheless, the course which the Labor Government followed with respect to this matter was one which steered between the two extremes laid out by the Hilton Young and Wilson Reports. For while Lord

Passfield wrote of a need for a Native policy which conformed to the same underlying principles throughout East Africa, he expected that this common policy would be implemented by territorial authorities.[63] The Joint Committee on Closer Union in East Africa, which rejected the plan for a High Commissioner, in effect supplemented the localism implicit in Lord Passfield's policy. It noted the complexity and diversity of Native institutions in East Africa, but proposed no machinery for coordination save that of the Governors' Conference.[64]

In spite of the "agreement" he obtained for his recommendations, Sir Samuel Wilson's Report fell considerably short of ending the dispute over closer union. There were clear indications of an impending storm while he was still in East Africa. For Sir Donald Cameron, who was intent upon dragging "this business out of the atmosphere of secret counsels and finesse which has surrounded it for so many months," telegraphed Sir Samuel of his desire to see established in London a highly authoritative public body before which the opponents of closer union could state their case.[65] The Governor of Uganda and the acting Governor of Kenya opposed this delay. Sir Samuel agreed with them and recommended that his scheme for closer union should be put into operation "at an early date." [66] When this dispute came before the public, by attachment to Sir Samuel's Report, it helped to impress upon interested readers the depth of controversy on this issue. This no doubt contributed to London's cautious approach.

Another factor influencing the final disposition of the Report was the advent of a Labor Government. The extent to which a change in party control influences colonial and external policy is difficult to assess. In terms of practical consequences the difference is often slight.[67] Nevertheless, *East Africa and Rhodesia* asserted that Wilson's plan would almost certainly have been adopted by a Conservative Cabinet. The plan was foiled, according to this weekly, by the "mischance of a general election." [68]

East Africa and Rhodesia's point is not an easy one to prove because some re-examination of the question by a non-partisan commission in London would seem to have been unavoidable. The pressures for re-examination were enormous. They came from all sides: international and domestic, official and non-official. The Student Christian Movement in Great Britain seemed to express the views of many when it concluded that the appointment of a Joint Select Committee "would lift the whole question out of the reach of accidents of local administration and the exigencies of party warfare and make possible an orderly and continuous advance." [69] The Conservative Cabinet was quite sensitive to pressures on the issue, as demonstrated

by their almost grudging approval of Sir Samuel Wilson's instructions in the first place. It seems questionable whether such astute politicians would have flown in the face of Indian, German, and League admonitions without further debate on the various aspects of closer union.

Lord Passfield was not slow in setting out the lines of his East African policy. In June, 1930, he presented Parliament with the White Papers on both Native policy (Cmd. 3573) and closer union (Cmd. 3574). Although he explained to the House of Lords that the term "paramountcy" was used in the Memorandum on Native policy to secure continuity with the Devonshire Report of 1923 and the Hilton Young Report,[70] his explanations were of no avail. The Kenya settlers were "aghast" that a White Paper suggesting closer union should be attached to one which wholeheartedly accepted the principle of Native paramountcy.[71]

In particular the White Paper on closer union irritated the Kenya settlers by providing for a continuation of the official majority on the Legislative Council and by supporting the ideal of the common roll, "with an equal franchise of a civilization or education character open to all races."[72] The refusal to grant an unofficial majority severed the links between closer union and responsible government. Although the Joint Committee on Closer Union reaffirmed this decision in 1931, it was not long before the determined settlers were to renew their appeal for an unofficial European majority on the Legislative Council of Kenya. On these subsequent occasions, however, no attempt was made to connect responsible government with the question of closer union.

With regard to closer union, Lord Passfield proposed a High Commissioner whose duties would be of a two-fold character. First, he was to act as a local representative of the Secretary of State for Colonial Affairs on Native problems. All bills, budgets, proposed changes in Native administration, dispatches from the Secretary of State and reports of the Chief Native Commissioner and the Education and Health Departments were to come under his jurisdiction. He might criticize these to the governors as he saw fit, might initiate investigations called for by complaints or reports of abuses, and might direct suspension of proposed legislation for three months if he was of the opinion that it was "contrary to the declared policy of His Majesty's Government, or [was] likely adversely to affect the social or economic progress of the native population or any racial minority. . . ."[73]

Second, the High Commissioner was to have executive and legislative powers with respect to certain "transferred" services in the three

territories. These included transportation, ports and harbors, customs, defense, posts, telephones and telegraphs, extradition and central research. In carrying out these "transferred" services, he was to be assisted by a Council consisting of himself as Chairman, three officials of his staff and four official and three unofficial members from each of the three territories. The High Commissioner, who nominated all the Council members, was to "have regard as far as possible to the representation of each racial or other section of the community." [74] In the event that the Council passed a measure upon which he wished to reserve judgment, he was authorized to refer it to the Colonial Secretary for the signification of His Majesty's pleasure.

These provisions were criticized by Sir Edward Grigg as placing the High Commissioner in a weak position, since he would not have a majority of his own on the Council where the official members from the territories represented their own governments rather than the views of the High Commissioner.[75] It is easy to see that the official member might be placed in a dilemma, as he might be subjected to conflicting instructions from two sets of superiors. The dilemma might be solved, however, by abolishing the territorial representation of officials and raising to a majority the percentage of officials appointed from the High Commissioner's staff.

Some five months after issuing these Reports, Lord Passfield moved a resolution in the House of Lords to set up that long-mooted Joint Committee of both Houses to examine the question of closer union. It was obvious to him that the Colonial Office could go ahead with a program of closer union at that time if it wished; yet he preferred to invite further discussion on a matter of such far-reaching significance.[76] The response of the House to this invitation was mixed and certainly not uniformly enthusiastic. Some members appeared to be concerned at the prospect of any new delays. In particular, Lord Delamere was outspoken in his criticism. He voiced the growing disillusionment of the Kenya settlers with the idea of closer union and the turn of events which had followed Sir Samuel Wilson's visit to East Africa: "I think the position of East Africa to-day . . . is that unless some conclusion can be come to in this country that His Majesty's Government are willing to trust their own people in East Africa, we would rather see closer union go into cold storage for a time and all changes of Constitution for the time being laid aside to be revived only at a time when more thought can be given to the question." [77]

Despite these rumblings of discontent, the Government's motion was agreed to in the House of Lords. Later the House of Commons concurred without debate. It was generally hoped that the Joint Committee, because of its high stature, would bring the elusive ques-

tion of closer union to a head. This drift of opinion apparently was not lost on the Joint Committee, for it saw its creation as affording "a unique opportunity of endeavoring to reach some conclusions which will lead to continuity of policy in that part of the Empire, whatever may be the changes of government at home." [78]

The Joint Committee was most notable for the extent of its hearings and the moderation of its proceedings and findings. It did not originate any new approaches to closer union; instead, by a long process of testimony and examination, it exposed the cross-currents of thought relating to the question at that time. There were fifty-one witnesses in all, representing every shade of official and non-official opinion and every racial community on the East African scene. By the time the last witness had left the stand, the subject of closer union had been well nigh exhausted. This left the Joint Committee with its final task of weaving the diverse strands of opinion into a fabric which all might find acceptable.

It became evident to the Joint Committee early in the enquiry that neither the territorial governments nor the racial communities concerned gave any substantial support to the various alternatives proposed by the Hilton Young Commission, by the Wilson Report, or by Lord Passfield's White Paper on closer union. "In fact," the Committee observed, "there has undoubtedly been a certain reaction against the whole idea of closer union in East Africa." [79] This the Joint Committee attributed to such objections as increased overhead at a time of depression, inadequate communications, the absence of a sufficient East African consciousness (particularly among the indigenous populations), the reluctance expressed by Africans from Uganda and Tanganyika to be more intimately associated with Kenya, and, finally, the "strong objection on the part of all the native witnesses to the establishment of any authority which would come between the representatives of the Crown in the several East African Dependencies and His Majesty's Government in the United Kingdom." [80] The London *Times* concluded simply that the Report "accepts the demonstrated fact that in all three territories closer union [was] more feared than desired." [81] Without attempting to pinpoint reasons at this juncture, it suffices to note that the combination of these factors made it evident to the Joint Committee that this was not the appropriate time for taking any far-reaching step in the direction of closer union.[82] This decision closed the door firmly on closer union for more than a decade to come.

The Joint Committee did, however, encourage economic cooperation between the territories. Common services, such as transport, customs, long-range research, posts and telegraphs, and defense provided a very

substantial field for coordination, short of superimposing an additional political framework upon the existing governmental structures in East Africa. The main machinery recommended to achieve this purpose was the Governors' Conference, which would now be supplemented by a permanent Secretariat. It was suggested that the Governors of Kenya, Uganda, and Tanganyika should meet regularly at least twice a year. Barring unusual circumstances, the capital city of each territory would serve as the place of meeting on a basis of rotation. Provision was also made for extraordinary sessions to which the Governors of Northern Rhodesia and Nyasaland and the British Resident of Zanzibar should also be invited.

With the Report of the Joint Committee, the pre-World War II interest in closer union as a serious objective came to a close. The Committee's Report was accepted by the Governors of the three territories immediately affected. The Governors of Kenya and Uganda did so with reservations. The Governor of Tanganyika, G. S. Symes, indicated satisfaction. The latter informed the Secretary of State, then Sir Philip Cunliffe-Lister, that "In so far as Tanganyika is concerned the process of coordination and cooperation may prove to have been simplified by the decision that a political or constitutional union of the three Territories is no longer an imminent issue." [83] Upon receipt of these dispatches, the Colonial Secretary announced his acceptance of the Committee's conclusion that the time was not ripe for making far-reaching constitutional changes. He disapproved of making any hard and fast rule in regard to the holding of Governors' Conferences on a twice-yearly basis. This might have detrimental effects, he argued, if it interfered with the Governors' administrative duties.[84] Furthermore, he agreed with the Joint Committee that the official majority on the Kenya Legislative Council should remain unchanged. However, he considered that Native representation should be increased from one member or two; these might now be other than missionaries.

The United Kingdom Government communicated its decision on the question of closer union to the Permanent Mandates Commission in a letter of September 2, 1932. In that letter, and in the statements of its accredited representative, it endorsed the two basic conclusions of the Report of the Joint Select Committee: (a) that the time was not yet ripe for uniting the territories of British East Africa, and (b) that the Governors' Conference should be utilized increasingly to ensure the closest cooperation and coordination in matters of common concern.

A majority of the Permanent Mandates Commission viewed these rather cautious conclusions with unremitting suspicion. This is unusual in light of the Commission's past record of vacillating and ambiguous resolutions on matters of a less controversial nature.

"With reference to the expression 'the time is not yet ripe,' the Com-

mission considers that a political or constitutional union of the mandated territory with the neighbouring territories cannot be carried out as long as the present mandate is in force.

"It also considers, due regard being had to the provisions of Article 10 of the mandate, that any measures tending during that period towards the *de facto* establishment of such a 'closer union' should be avoided." [85]

In regard to the Governors' Conference, the resolution did recognize the value of such a body for its ability to pool experience gained in neighboring territories. However, it bluntly stated "that such a body should not assume executive responsibilities which would unduly restrict the necessary autonomy of the mandated territory."[86]

A minority of the Commission, consisting of M. Van Rees, Lord Lugard, M. Merlin and M. Orts, dissented from the above conclusions because they seemed "to throw doubt upon the exercise of the rights given to the mandatory Power under Article 10 of the mandate," and because they inferred that the existence of the Governors' Conference might act to limit the liberty of action of the various political authorities in each territory.[87] It is interesting to note that the issue of whether or not federation is compatible with Article 22 of the League Covenant remains unresolved today. More than one scholar has agreed with the Hilton Young Commission that its proposal for closer union, neither at that time nor in the future, changed "in any way the status of the mandated area." [88] For example, Ansu Kumar Datta of New Delhi, India, has concluded that "no incompatibility exists between the creation of a closer union as such and either the U.N. Charter or the Trusteeship Agreement, or the former Mandate for the Tanganyika Territory." [89]

Even though the question of closer union was left in abeyance, it is important to bear in mind that the struggle for a wider geographical union was not without its rewards. The creation of a Governors' Conference with its permanent Secretariat, the inauguration of an East African Trade Office in London, the acceptance of a common customs arrangement, the organization of certain research problems on an inter-territorial basis, the general understanding that means would be worked out to prevent harmful railroad competition, the establishment of a common post and telegraph service, and even the beginnings of an East African consciousness, all attest to obstacles which were surmounted. These successes are perhaps too easily forgotten. Even in political deadlock there were sources for satisfaction. Delay granted the African time to catch up and assert himself. At such a juncture the question of closer union might be reopened for discussion.

CHAPTER III

IMPERIAL POWER: THE ULTIMATE SAFEGUARD

> "The present conflict [between the Soviet group and the Western democracies] is not one that arises primarily out of misunderstanding or lack of information.... The conflict began when we and the Russians were allies against a common enemy and is based on well understood but mutually incompatible goals."—Frederick S. Dunn.[1]

If one considers the general opposition to any form of closer union which Sir Samuel Wilson and the Joint Committee detected in East Africa in 1929, one might justly ask, whence came the strength which continued to thrust this issue through a decade of debates, wrangles, maneuvers, and commissions?

There is no simple answer to this question. For federation always found some supporters, depending upon the form it assumed. But the particular partisan alignments changed radically with each new shift of interpretation. Hence the shade of meaning became the all-important factor. Lord Delamere, Sir Edward Grigg, Sir Edward Hilton Young, the majority of the Hilton Young Commission, Sir Samuel Wilson, Lord Passfield—to name the more prominent proponents of what may be loosely referred to as federation—all backed particular schemes to this end; but the shadings of difference in each proposal proved crucial.

It is of central importance to note that it was not just federation which was at issue, but the kind of federation. Each racial community shaped its attitude toward a particular plan in terms of its own relation to it. When the proposal furthered and protected the interests of the group, indications of approval were forthcoming; when the group felt threatened, the change was vehemently opposed. A plan which could have embodied the objectives of all groups might have been successful, but this seemed an impossibility in the plural society of East Africa, where group values reflected the compartmentalization of social life and tended to become inflexible on political issues.

Crises over questions such as franchise and group representation were well-nigh inescapable. Thus, accommodating mechanisms based on constitutionalism and consent (like federalism) could not overcome the large areas of disagreement. This left British administrators on-

ly one alternative: the continuance of official rule. The Africans and Indians arrived at this conclusion at the outset; the European settlers came to it just as soon as their aspirations for self-government were firmly rejected.

The main interests which inspired the proponents of federalism in the period between the World Wars can be separated into two broad headings: economic and political safeguards. Certainly the most consistent local support for closer union in East Africa was voiced by those who held their business interests to be primary. Although all the groups Sir Samuel Wilson interviewed were suspicious of political federation, commercial groups did stand out from the others by their interest in economic coordination.[2]

Testifying before the Joint Committee, representatives of the commercial community appeared as the most stalwart defenders of the proposal for closer union. Sidney H. Sayer of the Chambers of Commerce of Tanganyika stressed at length the great advantages of a unified railway system with its economies from the standardization of equipment, the concentration of repair facilities, the sharing of personnel, and the balancing of facilities to meet traffic needs. He saw an ultimate necessity for some form of closer union; however, "under existing circumstances it would be better to go slowly in anything which involved, for the purpose of closer economic union, any constitutional change."[3] Likewise, William Tyson of the Kenya Chamber of Commerce dismissed the political goals of closer union as undesirable at that time and merely sought economic union.[4] Obviously, there were mixed feelings within the European community toward economic union on the one hand and political union on the other.

Even a number of African leaders commented on the economic and political aspects of federation which seems surprising in light of their steady opposition to federation schemes. Nevertheless, while the Kabaka of Buganda (Uganda) was protesting against any interference with Native affairs on the part of a central authority, he accepted the need for the unification of such public services as postal services, transport, medicine, and customs. "If only the Federation of such services is contemplated, then I, as the Kabaka of Buganda, have no voice in the matter and have no suggestions or objections to offer thereon."[5] He was joined in this by the King of Toro (Uganda), who, in a memorandum to the Joint Committee, observed that his people had "no objection to the amalgamation of the public Services, provided that this is not to be the channel of the Government to bring about political Federation."[6] Economic unification, then, was an area where compromise proved possible, a factor accounting for the

large strides made in the direction of common services during this period.

The economic objectives on which the proponents of federation centered their concern were of a twofold—yet complementary—nature. First, it was desired to enlarge the field of administration both in government and governmental services. By expanding the area of administration it was hoped that the efficiency level might be raised, opportunities enlarged, and "horizontal cooperation among a limited number of contiguous Governmental areas" stimulated.[7]

The case for administrative advantages seemed more conclusive with regard to common services than it did with regard to the enlarged mechanism of government. In research the advantages of combating disease and improving seed and soil fertility were indisputable, and efforts were made to coordinate these services. The Joint Committee found it "obviously desirable" to merge the two customs departments of Kenya and Uganda and of Tanganyika. The Committee reasoned that a customs union for the three territories could only be uniform if it were controlled by one customs department.[8] But perhaps the most persuasive and detailed statement on the administrative advantages arising from unity of control was that outlined by Tyson of the Chamber of Commerce with respect to postal and telegraph services. These advantages, listed below, apply with few variations to the other services:

1. Standardization of plant. 2. Standardization of operating methods. 3. A comprehensive, coordinated development policy. 4. Simplification of inter-regional arrangements. 5. Economy. 6. Convenience of the public. 7. Uniformity of rates. 8. Greater flexibility of staff. 9. The ability of a larger service to offer more attractive terms and better prospects to the technical officers. 10. Extended scope for the training and employment of local European youths.[9]

In this case economies of not less than £10,000 per annum were estimated. This would result from the elimination of a number of headquarters posts in the Tanganyika service, savings in general staff, and the use of common forms.

Because it was not possible to foresee equivalent savings if new mechanisms of government were created, less enthusiasm was evinced here. Estimates of the administrative costs of closer political union conflicted. On the one hand proponents could point to unified diplomatic services, unified trade offices overseas, centralized planning, bulk purchasing, and so forth. On the other hand, all estimates pointed toward an increased cost of government at a time of depression. Lord Stanley of Alderley, the Chairman of the Joint Committee, feared the extra costs of closer union might exceed £50,000 per annum.[10]

This financial picture, among other factors, so disheartened the witnesses before the Committee that they opposed closer union almost uniformly. Major W. C. Lead, representing the Tanganyika settlers, expressed a desire for the economic advantages of closer union only insofar as additional costs were not involved,[11] and Dr. H. H. Hunter of the Uganda Chamber of Commerce went so far as to refer to expenditures upon a High Commissioner as in the "luxury" category.[12] The Joint Committee was left with little choice but to reject federation as premature, in large part because of financial objections.[13] Thus federation was undermined in part by the very interests which sought it for economic reasons, for they were motivated also by financial fears.

The second economic objective emphasized the aspect of development. The expansion of the railway system is a case in point. In an area as underdeveloped as was East Africa following World War I, the problem of building an efficient railway network assumed staggering proportions. This problem was greatly complicated by the interlocking of two separate railway systems, one for Kenya and Uganda and the other for Tanganyika. In the post-war period, these overlapping systems continued to compete with respect to goods, services and rates. Such competition was destructive and set back the expansion process itself.

Since Tanganyika was a British mandate and since Article 10 of the mandate permitted a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control, local authorities naturally wished to implement this provision with respect to the railroads. An experienced railroad man, C. L. N. Felling, was appointed the General Manager of the Kenya and Uganda Railroad; loans amounting to £10,000 were guaranteed by His Majesty's Government under the East Africa Guaranteed Loan Act; and construction proceeded at a rapid pace.

However, there was still inadequate planning and the lines continued their harmful competition. In fact, through expansion this type of competition threatened to grow worse. The extended branch lines tended more and more to overlap and vie for the business of the area. Therefore it was with some sense of urgency that the cry went up for railroad planning and coordination. Felling warned the Kenya Legislative Council that "unless some central authority for railway matters in East Africa is established fairly soon, we shall find it most difficult, if not impossible, to avoid competition between the railways. Apart, however, from the question of competition for traffic at given points, there is an urgent need for a well-considered policy in connection with development; an urgent need also for a central authority to face and reconcile administrative and executive differences, to in-

augurate and press forward action towards standardization in legislation and working regulations and working conditions and railway appliances, uniformity of principles of railway finance, railway rates and other matters of importance to the three East African territories, in connection with which it will be fatal for us to develop on separate lines." [14]

Echoed Hilton Young: "We are witnessing at the present time an almost humiliating lack of reasonable forethought in organization in the development of the three transport systems for the three territories without any single mind." [15] These and other observers could see no reason to prolong separate and overlapping railway systems; they sought to substitute in their stead one centrally-planned system using standardized equipment.

Unfortunately, however, it is necessary to observe that economic problems such as the railways cannot be isolated from the main stream of politics in a multi-racial area such as East Africa. Political complications cast a light even upon the problems of railway administration and development. Accusations, for example, were aired before the Hilton Young Commission to the effect that unduly high rates were charged on cotton from Uganda and unduly low rates on maize from the highland areas of Kenya.[16] This implied the taxation of Africans to the benefit of Europeans. The accusation was repeated by Mr. Kayamba of Tanganyika before the Joint Committee of Parliament. "If there is going to be amalgamation of Tanganyika railways with Kenya," he asked, "will not the natives be charged high rates on their produce in order to make up for the rates on the products of the European plantations or planters generally?" [17] The answer given by Tyson of the Kenya Chamber of Commerce was hardly reassuring. He frankly admitted that the policy of the Kenya and Uganda Railroad was bound up with a definite policy of white settlement. Rates were influenced by reason of that policy. As for effects on Uganda, he stated: "At one time undoubtedly Uganda suffered rather hardly, because we were protecting certain products like dairy products, and we were literally unable to supply them, so that they were deprived of those products." [18] Such admissions highlighted the difficulties which spread themselves around even the most non-political of activities in an area of racial pluralism.

Besides economics, the other main interest inspiring the proponents of federalism in the period between the World Wars was the desire for political safeguards. This desire took many forms, but the common denominator of each group was insecurity. Thus the settlers dreamed of a White Dominion, feared the advent of a Labor Government, felt uncertain over the mandate, and were concerned with respect to pri-

vate investment. These feelings of uncertainty were compounded by group relationships on the local scene. The Europeans knew they would always be a minority in a world oriented toward majority rule. The Africans, awakening to the inner potentialities of Western ideals, sought time to develop their aptitude for the mechanics of Western politics. Under these circumstances, federalism could hardly remain above partisanship. It could not distribute power and security to all groups on a satisfactory basis. Hence it was opposed by each racial interest as soon as that interest felt threatened by the particular form of federalism which was advocated. Thus federalism, which was initially proposed in part for security reasons, became in time a symbol of insecurity throughout East Africa.

Another factor was the overseas investors' fear of the temporary nature of the mandate.[19] Thus federation was looked upon as a means of stabilization for business investments in general, and it was alleged that closer union might encourage capital investment by giving greater security.[20] The effect of London's inaction on closer union, declared Captain H. E. Schwartze, "has necessarily been enormously to increase the economic and political difficulties with which this country is faced," [21] and he cited railways and research as two activities which were particularly affected by resistance on the part of overseas investors. Captain Schwartze's claims are now a commonplace, but this detracts little from their validity. The existence of a secure political environment is a prerequisite for attracting private capital. Any instance of political insecurity is likely to frighten the cautious investor away. However, whether or not federation would be a cure for this situation is another question. For example, to federate unstable Jordan with unstable Syria, as was once rumored, would hardly seem to prepare the way for a more desirable area for investment capital.[22]

Another settler fear, that of a Labor Government, is almost a constant factor on the East African scene. Local European residents were deeply suspicious of any control exercised by the Colonial Office. "Its remoteness from the scene of action gives rise to the fear that it cannot have a real understanding of local conditions and needs, and the doubt is always present that unknown forces may be at work to influence its decisions in a sense unfavourable to the colonists." [23] These suspicions thickened when the Labor party became the target of the settlers' ire. The reasons for this reaction are summarized by Marjorie Dilley: "Dislike of Labor Governments is accounted for by various factors, not the least of which is the type of settler, a type not usually approving the Labor Party at Home. Labor principles do not appeal to them as members of an employing class. The Labor Party

has not agreed with them on local labor policy, general native welfare, or Indian rights." [24]

No doubt Labor brought on some of this antipathy as many of its outstanding spokesmen lampooned the Europeans of Kenya as playboy aristocrats. Labor speakers struck hard at the alleged inequities of life overseas, and their kinsmen in East Africa hit back with venom —and with elaborate plans for escape. Thus federation was seized upon. If it could expedite the day of responsible government in Kenya and if it could hasten the time when all of East Africa might be free of London's interference in local Native affairs, it would be worthy of support. But unless they got these concessions, the settlers sought a continuance of the status quo in spite of the irritating aspects of London's authority.

The most elaborate of all settler dreams was the one to establish another White Dominion in East Africa. The idea was necessarily vague, for a numerically preponderant white community in East Africa was hardly conceivable. What was really intended, of course, was the extension of the "British way of life" through local European leadership. In 1925, after the appointment of Sir Edward Grigg as Governor of Kenya, Lord Delamere's ambitions seemed to swell to romantic proportions. He promoted the three unofficial conferences of settlers from all over British East Africa in order to solidify "the white ideal" and in order to pool their resources for a possible showdown with the Colonial Office.[25] Lord Cranworth relates of Lord Delamere that: " He envisaged a far closer union between our East African territories; the building together of Kenya, Uganda, Tanganyika, Nyasaland and Northern Rhodesia in one great confederacy, with its capital at Nairobi." [26]

These efforts had the objective of developing a new Dominion, a self-governing state directed primarily by the Europeans of Kenya.[27] The *East African Standard* of January 1, 1927, was quite plain to this effect. It stated that in the formation of an East African Dominion or Federation of States, "white settlement in Kenya must play a major part. We have in this country the only developed centre of Western civilization in the territories, and, if the benefits of European civilization are to be extended to East Africa as a whole, the centre of the group, the main control of policy, and all the external influences upon European and native policy must radiate from Kenya. . . ." [28]

Thus a crisis over federation arose as the settlers attempted to safeguard their position via a political mechanism of wide geographical dimensions. Had conflicts of interest remained localized the issue would never have become a *cause célèbre*. However, by proposing a united East Africa on their terms, the settlers opened the door to dis-

cord and even greater uncertainty. In time, the atmosphere of uncertainty and suspicion became so unendurable that the settlers joined all the other communities of East Africa in opposing the various proposals which were presented to the Joint Committee.

It is with this background in view that Sir Donald Cameron's remark that "Closer union and its concealed currents represent a chapter in my life in Tanganyika that I look back upon with entire distaste. . . ." [29] takes on its full meaning. His implications become clearer when judged in the light of his testimony before the Joint Committee of Parliament. The net was thrown over Tanganyika as well as Uganda, he told the Committee, because "the native policy which was inaugurated in Tanganyika in 1925 would, if it were allowed to operate, destroy that dream of a Great White State." [30]

The proponents of a White Dominion looked at Native policy in a way that was antithetic to the practice of indirect rule through indigenous institutions, such as Sir Donald was implementing in Tanganyika; and quite naturally he attempted to expose and combat these "concealed currents" within the larger question of closer union. The Joint Committee ended any uncertainties in this matter by rejecting for the time being, any form of closer union. This decision, commented the *Economist,* closed the door on "the very dangerous political vision . . . of a united East Africa enjoying dominion status as 'a White Man's Country.' " [31]

The federation idea, then, was encouraged for economic reasons, but the real impetus evolved from its potential as a security device. This is made quite clear by the change of heart on the part of the settler community when federation was proposed without any provision for a European elected majority on the Kenya Legislative Council. When the settlers recognized that responsible government was out of the question for a long time to come, they came to look upon federation as a symbol of insecurity, thereby negating the reason for their initial support.

But it is crucial to note that insecurity was not a phenomenon among the European settlers alone. It affected every level of East African society, although on a compartmentalized basis. This was evident enough to J. H. Oldham of the Hilton Young Commission, who told the Joint Committee that "You have there communities with entirely different cultural traditions and at very widely separated stages of development, and if they are to get together you must remove the element of fear which exists on both sides, the fear on the one side that the institutions of the more advanced civilization are in danger of being sacrificed and the fear on the other side of domination." [32] Federation was merely the political catalytic agent bringing

these long-smoldering anxieties to the fore. This issue crystallized the latent fears of each community and paraded their mutual suspicions before the eyes of all the world. Under these conditions the British Government could pursue no other course but to maintain its authority until the tensions of East African society relaxed.

Such were the primary reasons which motivated the drive for federation. With this in mind it seems most useful now to point out the reactions to the idea of federation in East Africa. That reasons and reactions overlap should hardly seem surprising at this point. With community objectives often reproducing themselves, but on a compartmentalized basis, what tended to please one interest group almost invariably aroused anxieties among the others. No political solution could at one and the same time offer each group safeguards, power, and responsibility in accordance with its stage of development. Rigid group insistence on such incompatible objectives made compromise virtually impossible.

Before presenting a breakdown of community reactions, it is necessary to stress that such representations are necessarily abstractions. No community has a homogeneous attitude on political problems of such magnitude as closer union. Account has already been taken of the struggle in official circles between Sir Donald Cameron and the Governors of Kenya and Uganda and of the mixed feelings within the European community toward economic and political union. One other factor militated against homogeneous community attitudes—territorial loyalties. By the time the Hilton Young Commission had made its investigations, local loyalties had already become a factor to be reckoned with in East Africa. The Commission recognized this and concluded that public opinion in the territories was not ready for any form of closer union which delegated substantial powers to a central authority: "There appears to be a general feeling in each territory that there are differences between its own policy and that of the other two, while there exists in each a local patriotism which is jealous lest undue influence should be obtained over its destinies by a supposedly stronger neighbour. We believe that these doubts and fears are largely based on misunderstandings; but they are none the less real, and must be taken into account." [33]

Furthermore, Tanganyika settlers, testifying before the Joint Committee of Parliament, expressed their disinterest in the more local goals sought by their kinsmen across the border. In particular, they saw little advantage to themselves in a European unofficial majority on the Kenya Legislative Council.[34] Such seeming unconcern with the deeply felt problems of their neighbors led the Joint Committee to

the conclusion that while a growing East African consciousness was discernible, "the vast majority of all communities are still primarily and mainly interested in the affairs of their particular territories." [35] These feelings of local independence were expressed, on occasion, in a most recalcitrant way. For example, a Dar-es-Salaam newspaper declared in 1928:

"We strongly oppose any hasty movement towards any form of Closer Union which will tie Tanganyika to Kenya and Uganda only. We see very plainly that the politics of Kenya are short-sighted and, to our view, Opportunist, and there is a great danger for us and for East Africa in the pursuance of that policy. Kenya's ideals are not based upon a sufficient study of Africa itself or in its relationship to the rest of a rapidly-changing world and to strengthen them, as a Union with us would do, would be ruinous to us and would cost both us and the North dear when we go to bargain with our sisters of the West and South. Except the galling of the Colonial Office yoke, which must be borne until we are grown up, we have nothing in common with Kenya that calls for an immediate Union. . . . We have much in common with Northern Rhodesia and Nyasaland but nothing with Kenya, and Uganda." [36]

Just as the Europeans of East Africa hoped to spread their British traditions by federation, they also feared that federation might put an end to these traditions if the Europeans were swamped by the numerically preponderant Africans and Indians around them and in their midst.The settlers feared closer union, Lady Cole told the Joint Committee, because they felt their position as colonists might be endangered. "We recognize that both Uganda and Tanganyika, partly through their climate, are more in proportion Native States than Kenya is, and therefore we were afraid that the white settlers' point of view might be swamped." [37]

The Joint Committee of Parliament, as noted above, placed the prime reason for European opposition to closer union on the increase in administrative costs.[38] Surely this was an important factor, but it would hardly have deterred ambitious men like Lord Delamere, who willingly invested huge sums to promote unofficial inter-territorial conferences and who backed the construction of a first-class Government House at Nairobi in hopes that it might become a future capital of British East Africa. At a time of depression cost is certainly a factor to be reckoned with, but the reasons for a latent hostility to closer union must go much deeper. To start with, the debates, investigations, and reports on federation reopened two potentially explosive issues—paramountcy and the common roll.

The Duke of Devonshire neatly included a statement on Native par-

amountcy in Kenya into a White Paper entitled *Indians in Kenya*: "Primarily, Kenya is an African territory and His Majesty's Government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount, and that if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail. Obviously the interests of the other communities, European, Indian or Arab, must severally be safeguarded. Whatever the circumstances in which members of these communities have entered Kenya, there will be no drastic action or reversal of measures already introduced. . . . But in the administration of Kenya, His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of the native races." [39]

Amery specifically adhered to this policy in his 1927 Command Paper, *Future Policy in Regard to Eastern Africa*,[40] and the Hilton Young Commission, which was authorized by this Paper, attempted to establish the paramountcy of Native interests by placing as the first charge on any territory the "creation and preservation of a field for the full development of native life." Government, having created this field, "has the duty to devote all available resources to assisting the natives to develop within it." [41] Immigrants are to be permitted and even encouraged if they are likely to assist African advancement. In line with this policy, the Hilton Young Commission concluded that there could be no question of responsible government in East Africa until the Natives themselves could share in the government.[42] A majority of the Commission, therefore, recommended that the five Europeans nominated to represent Native interests be replaced with "suitable natives" as soon as the latter became available.[43] Lord Passfield accepted the Duke of Devonshire's declaration that African interests must be paramount and adopted the Hilton Young Commission's interpretation of it "as a general statement of a matter in which a more precise definition is difficult of achievement." [44]

Although British policy on paramountcy had been asserted in 1923, it was not to become a significant issue in East African politics until after the Report of the Hilton Young Commission was published in January, 1929. Then, in June, 1930, it received official sanction at the hands of the Labor Colonial Secretary. It was Lord Passfield's restatement of paramountcy which transformed it from a vague term into an immediate threat. The settlers reacted with emotion. In July, 1930, the Kenya Convention of Associations unanimously rejected Lord Passfield's proposals for closer union, because paramountcy, as enunciated in the Memorandum on Native policy, seemed

objectionable, because past pledges were broken, and because the progress of white civilization in East Africa was threatened.[45]

Paramountcy came to symbolize danger to many of the white settlers, despite Lord Passfield's assurances that the term was used to secure continuity with the Duke of Devonshire's White Paper and the Hilton Young Report.[46] Elspeth Huxley, an eloquent spokesman for the white settler point of view, throws some insight upon this: "Fear lay behind the colonists' agitation against the Labour Government's pronouncements in 1930. Fear led them to exaggerate the meaning of the memorandum on native policy, to detect innuendoes in every sentence. It was fear that prompted them in the first place to ask for political powers which reason should have told them were still beyond their reach." [47]

A second potentially explosive issue reopened by the struggle over federation was the common roll for Europeans and Indians in Kenya. These communities struggled over three interrelated issues during the 1920's—segregation, settlement in the "White Highlands," and the equal franchise. The franchise question proved the most thorny and is the most related to the issues of this chapter.

Several factors must be borne in mind. First, the Indian community outnumbered the Europeans by approximately two to one. Under these circumstances the Indian demand for equality was interpreted by the settlers as "a step to complete supremacy." [48] Second, although the Europeans and the Indians resented being classified as immigrants, they both appealed to their home governments for support. This caused a considerable clash of interest within the British Government between the India service on the one hand and those with ties to the British community of East Africa on the other hand. This conflict was projected upon the international scene as well, where it was a source of embarrassment. For example, the Imperial Conference of 1921 recognized that "there is an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire." [49] Yet the Colonial Secretary observed that the principle of equal rights "has to be very carefully and gradually applied because intense local feelings are excited," and in this he referred particularly to Kenya.[50] No wonder that the elected members of the Kenya Legislative Council became convinced on a later occasion that "Kenya has come to be regarded as a thorn in the side of the Imperial Government." [51]

Some highlights on the controversy in the early 1920's are necessary as background to the role this issue played in the federation controversy. By 1921 there were eleven elected Europeans and two elected

Indians in addition to the official members on the Legislative Council of Kenya. The Indian members were elected on a communal basis, i.e. by the Indian electorate as a group. This was particularly offensive to the Indian residents of Kenya, who placed pressure on His Majesty's Government by way of the Indian Government in New Delhi. The British settlers reacted by sending a delegation to the United Kingdom in order to present their case for a continuation of separate voting by communities. As a consequence, there was a tremendous build-up of pressure in London. The Colonial Office acted to relieve Indian pressure by replacing the two elected Indians on the Legislative Council with four, who were nominated by the Governor. This satisfied no one. Then, in September, 1922, the Wood-Winterton Committee (consisting of the Hon. Edward Wood, Under-Secretary of State for the Colonies, and Lord Winterton, Under-Secretary of State for India) released its "bombshell." [52] The "Wood-Winterton agreement" proposed a common electoral roll and a non-discriminatory property and educational test which was to be so arranged as to enfranchise only ten percent of the Indian electorate. The Legislative Council would retain its official majority, and it would have an unofficial membership of seven Europeans and four Indians.

The settlers' reaction to this "agreement" was choleric. It was condemned as a mockery of past pledges, as an open door to Indian predominance on the Legislative Council, and as a betrayal of the African to the contamination of "the vices of Oriental civilization." [53] Schemes of direct resistance were hatched by the aggrieved European residents of Kenya. Plans were drawn up to seize the transport and communications facilities and to kidnap the Governor. As reports of these activities reached London, the Colonial Office became uneasy. New discussions were opened with both the settler and Indian delegations in London, and, as a precautionary move, the H.M.S. "Colombo" was moored at Kilindini harbor.[54]

As a consequence of these extensive discussions, the Colonial Secretary issued a White Paper which firmly laid down the Government's plan for a "settlement" in Kenya.[55] As might be expected, each side was far from pleased. But then there was little that either group could do in the face of a determined Imperial authority. The more rebellious settlers might continue to allude to "a right of revolution," but the threat could only be of limited significance in such a mixed society as Kenya. In essence, European power rested on the backing of London. Hence to risk an open breach with the British Government seemed a little preposterous, that is, unless the settlers received direct aid from the Union of South Africa.

The Duke of Devonshire's memorandum, *Indians in Kenya,* set the

basis for Indian-European relations for a long time to come. The common roll was definitely ruled out in favor of a communal system of representation. If the common roll were adopted, according to the reasoning in the memorandum, elections would center on racial issues, and this would intensify differences rather than encourage an identity of opinions along trans-racial lines. No candidate could, under such conditions, "stand as an advocate of the interests of the other race without sacrificing the support of his own." This led the Colonial Secretary to the conclusion that a communal roll for the Indian, European, Arab, and later the African, communities was in the best interests of all concerned. Henceforth, the Indian community, which was permitted a wider franchise than previously, would be represented on the Legislative Council by five members. Provision was also made for one elected Arab and for one European missionary, nominated by the Governor, to represent African interests.[56] The Indians had been dealt a decisive defeat on this issue, and it was not until 1927 that they accepted the *fait accompli* and participated in the elections for members of the Legislative Council on a communal basis.

The issue of the common roll for Indians and Europeans became intertwined with the question of federation when the Hilton Young Commission concluded that "the ideal to be aimed at is a common roll on an equal franchise with no discrimination between the races. It is at the same time clear that this ideal can be realized only by consent, and that the consent of the European community can only be obtained if they are given a feeling of security that their interests and institutions are not in danger of being overwhelmed by the mere numbers of the other communities. Such security cannot be provided on the basis of adult suffrage. The first step, therefore, would seem to be that before new franchise qualifications are fixed, the High Commissioner should institute a test census or some other form of enquiry to ascertain for each constituency the approximate number of persons of each racial community possessing the proposed qualifications . . . The figures should then be laid before the leaders of both communities, and fresh attempts made to see whether agreement can be reached in regard to a question which has hitherto kept the races apart." [57]

The European community manifested "very strong objection" to a revival of this issue.[58] Adherence to the principle of the common roll was regarded as a breach of the White Paper of 1923 and of Amery's pledge in 1927.[59] Their objections increased when the Labor Government declared, in its memorandum presented to Parliament on closer union in East Africa: "With regard to the franchise for the Legislative Council of Kenya, His Majesty's Government are of the

opinion that the establishment of a common roll is the object to be aimed at and attained, with an equal franchise of a civilization or education character open to all races. They have not, however, sufficient evidence before them either from a political or geographical standpoint to say in what manner this desirable end can be reached. In these circumstances His Majesty's Government propose that an enquiry should be undertaken by the High Commissioner, when appointed, as to what is the most practicable action to be taken in this direction in the immediate future." [60]

Once closer union was joined to the common roll (as well as to African paramountcy), it lost all of its appeal for the settlers. It became anathema, a threat to white civilization in East Africa. Thus Lord Francis Scott, the most prominent settler to appear before the Joint Committee of Parliament, opened his testimony with a sweeping denunciation of the common roll for the Indian, African, or Arab. "What we want more than anything else," he told the Committee, "is a few years of stability in order that the various roots may have a chance to grow, during which time there must be continuity of policy and a concentration on those administrative and economic problems that face us rather than any constitutional or political changes." [61] At this point political change meant "great insecurity" to the settlers.[62] Hence they dropped their visions of a "Great White State" and reverted to their earlier position of opposition to federation.

Another cause of European insecurity was a fear of being sacrificed to Imperial interests. In the eyes of practical British politicians, the colony of Kenya, with its European population of approximately 12,500 in 1926, could hardly be a match for giant India—at least as a market for imports and exports. India, after all, was the jewel of the Empire because of its enormous potentialities for trade and commerce. The European experiment in Kenya was too embryonic and insignificant to pose a challenge of interests. Thus the settlers embarassed the metropole with their intransigence on the so-called "Indian question." But by remaining a thorn in the side of the British lion, they tempted the beast to wag his tail. One determined shake and the lion could have seriously undermined white interests in Kenya. Therefore, the adamant settlers lived in no little uncertainty as to their future. His Majesty's Government might some day find their price too high, and the consequences would be dire. The Europeans of Kenya, reported Sir Samuel Wilson, feared that their interests would be sacrificed "in order to bring the policy of that Colony into line with a policy suitable for Uganda and certain parts of Tanganyika." [63] Such a policy would have eased the path to federation, but not to the kind of federation the settlers wanted.

Still another cause of anxiety within the white community was an uneasiness over the continuance of white settlement. The White Paper of 1923 had asserted that if Native and immigrant interests conflicted, the former should prevail. His Majesty's Government was exercising a trust on behalf of the Africans, the object of which was defined as the protection and advancement of the Native races.[64] What did this mean with respect to further white immigration into Kenya? What if European immigration arrested Native advancement? The Hilton Young Commission was forthright in its answer. Their Report stated that if, after having devoted all available resources to assisting African development along the lines of Native life, "there appears to be room for immigrant settlers—still more if these are likely to assist the advancement of the natives—then immigration can be permitted and even encouraged." [65]

This statement reaffirmed settler fears that federation might mean the end of white immigration into Eastern Africa. Sir Samuel Wilson stated on his return to the United Kingdom that the Hilton Young Report had caused no little doubt and anxiety in the minds of most sections of the community. "The elected members rightly or wrongly regarded the Report as implying the condemnation of the whole policy of white settlement in East Africa. . . ." [66] The representatives of the elected members of the Kenya Legislative Council declared in a letter addressed to Sir Samuel Wilson on May 5, 1929, that, "no scheme is likely to find general acceptance in Kenya unless accompanied by an unequivocal declaration by the Imperial Government that it recognizes the scope for further white colonization without native interests being jeopardized. . . ." [67]

The importance of this issue can be seen in its effect upon the settlers' (particularly Lord Delamere's) determination not to press for federation when representatives of the European community were called upon to testify before the Joint Committee of Parliament. Lord Cranworth commented on this decision: "Indeed it [the great federation idea] had been killed by the various Commissions and White Papers which had largely sought to make of it a means to fetter and destroy white settlement in Kenya. A Labour Government was in power, and they were unfriendly, though in the kindest way, to every white aspiration in Kenya." [68]

Therefore, although federation was desired by the settlers as a security mechanism, it was also feared for the security reasons just mentioned. The shadings of meaning embedded in each plan for federation thus assumed prime importance from the settler (and other) points of view. Each emphasis brought a particular set of security factors into operation. There was one constant factor throughout,

however. This involved the settler demand for an unofficial European majority on the Kenya Legislative Council. In effect, this became virtually the determinant factor in settler opinion formation. Only responsible government by the white settlers themselves meant real security to the Europeans of Kenya. Thus, a government which depended upon multi-group coordination, such as that proposed by the Hilton Young Commission, would be regarded by Europeans as a source of continual insecurity.

That a white majority on the Kenya Legislative Council was a fundamental prerequisite for European support for federation is readily demonstrable. When Lord Delamere decided to come out for federation in 1925, he set an unofficial majority on the Kenya Legislative Council as the price for settler cooperation.[69] Later, in an election speech of January, 1927, he was more explicit: "But it will not help [Tanganyika] or the cause of civilizing influences in Eastern Africa to tie her to Kenya if Kenya's own constitution is still founded on the shifting sands of an official majority subject to the direct orders of the Secretary of State of the day. It is a vital necessity to any scheme of coordination based, for the present at least, on the radiation of civilization from Kenya that we should have a free Council here—a Council where officials, missionaries, settlers and merchants are free to express their opinions. And the only way you can get this is by having on your Legislative Council a European elected majority over all parties." [70]

Similarly, it was urged on the Hilton Young Commission that "federation should be no bar to the natural political progress of Kenya towards self-government, and that the time has come for the grant to the Colony of a new constitution providing for a European unofficial majority of members." Moreover, it was stated to the Commission that "Kenya is not prepared to enter into any federation scheme unless she is granted a step towards self-government." [71]

For most of the settlers, then, self-government was the main objective and federation a supplementary objective. The scuttling of federation by the Europeans of Kenya in 1930, after responsible government had been placed clearly beyond their grasp, throws a searching light on their scale of preferences. For them federation seemed almost a concession to the larger goal of self-rule. It placed a more acceptable binding around a book which had to be presented to both the British public and the League of Nations for approval. But an air of bargaining seemed almost to transcend the pages of this work. Closer union proposals, wrote Sir Edward Grigg, "do in fact withdraw considerable powers from the Government and Legislature of Kenya or superimpose upon them an authority with over-riding powers

. . . and . . . some constitutional security may reasonably be claimed by the European population as an offset to the rights which it will be surrendering under the Closer Union proposals of His Majesty's Government." [72]

With their primary objective of self-government attained, the settlers of Kenya might well have turned to the possibilities offered by federation—diffusing their influence, political, economic and cultural, throughout East Africa. Here is where the two security media (self-government on a local basis and federation) seem to coalesce. The first is dictated by such fears as that of "swamping" and the "tension which comes upon small and isolated British communities when once they feel that their future, amid millions of a backward civilization, is held in fee by a distant and autocratic power." [73] The second is an outgrowth of the first. For an isolated community can never feel secure unless it can at least participate in, if not shape, the policies and activities of the region in which it subsides. The Europeans of Kenya struggled to radiate their influence from a secure home base in the highlands. Their efforts to secure self-government and federation on terms satisfactory to themselves were aspects of this drive to gain security by spreading influence. In this, they were thwarted by their kinsmen in the United Kingdom, a factor which accounts in part for their hostility to outside opinions even while depending upon them.

The reaction of the articulate African community to the federation proposals was only less complex than the European reaction because there were fewer cross-currents within the community itself on this issue. Theirs was by no means a simple rejection of federation, but rather a wariness toward federation proposals at that time. That some Africans took into account the economic advantages of federation has been observed previously,[74] but what they also took into account from the very first proposal of federation was the extreme difficulty of insulating such common economic and administrative services from the political environment in which they operated.

At least four principal African fears are discernible on the federation issue—fear of domination, fear of their own unpreparedness, fear of non-official and official European solidarity, and fear of a more restrictive Native policy. Each of these fears will be examined in turn.

The Africans, particularly of Uganda and Tanganyika, feared that federation would facilitate domination by the Europeans of Kenya. Federation, along with the drive for a white unofficial majority on the Kenya Legislative Council, was viewed as an offensive, and not a defensive, European device.

Before the Joint Select Committee of Parliament, witness after wit-

ness testified to the prevailing African fear of European domination through federation. All three African delegates of Tanganyika—Chief Makwaia, Mwami Francis Lwamugira, and Hugh Kayamba—expressed their fears of union with Kenya and Uganda. Explained Lwamugira, "the laws of Tanganyika may be infected by the laws of Kenya or the laws of Uganda." [75] This was expanded upon by the Secretary for Native Affairs for Tanganyika, Mr. (later Sir) Philip E. Mitchell, who observed that the Tanganyika Africans felt that closer union with Kenya would result in a lowering of their status and privileges to that of the Kenya African. According to Mitchell, the Africans of Tanganyika feared an extension of fingerprint regulations, a loss of their lands, and a prohibition on their rights to raise coffee. It was said to him on many occasions that, "Any Closer Union with Kenya will mean the uprooting of our coffee." [76]

These fears of European dominance were expressed by delegations to the Joint Select Committee from the other territories as well. Kosiya Labwoni informed the Joint Committee that "we, in Busoga, fear that if Uganda Protectorate is joined together with Kenya and Tanganyika, European settlers may come into Busoga and take away our land from us." [77] And Gerald Maxwell, the Chief Native Commissioner for the previous ten years in Kenya, felt "quite definitely" that the Africans of Kenya were "a little suspicious of any Closer Union which might increase the power of rule of the . . . white settlers." [78]

In the light of such testimony the Joint Committee was virtually propelled to the conclusion that there was "a very definite reluctance, expressed by the native witnesses from Tanganyika and Uganda, to be more intimately associated with Kenya as they know of it by hearsay today." [79]

The Africans feared federation because of their political and economic unpreparedness. They realized their lack of preparation and wished to forestall a basic constitutional change until they could meet the European and Indian communities on a more nearly equal basis. Mr. Apindi of Kenya was quite emphatic on this point: "With regard to the High Commissioner himself, we do not think that it is the time for a High Commissioner in our country, because we are still backward. How can we work with him? . . . We are far away from our Government, and we do not yet understand how the Government is making our laws, the laws that affect us. They are making them without our being consulted, and we want to understand this first before we get any further." [80]

What the Africans of Kenya want, asserted Chief Koinange Mbiu, "is not some higher authority, but somebody who will help them to

grow up while they are yet children, so that they can speak frankly and have direct communications with a High Commission when the time comes for a High Commissioner to be appointed." [81] Each of these men sought African progress; once that was achieved, there would be time enough for a reconsideration of the federation idea.

The Africans also feared non-official and official European solidarity, or, put more simply, they were apprehensive about the influence of prominent settlers in the inner sanctums of the official community. When the observer takes into account the similarities of taste, outlook, habit, and experience of the settlers and His Majesty's civil servants, it is easy to see the roots of African suspicion on this score. To be sure, many a civil servant, such as Sir Donald Cameron, has remained free of the African's distrust in this matter, but only at the cost of some settler suspicion as a consequence. If an African should read Lord Cranworth's account of life in Kenya during these times and learn that "D. [Lord Delamere] and Coryndon [the Governor] worked together in perfect amity till the latter's untimely death," [82] he would be likely to feel his suspicions confirmed. In truth, it is extremely hard for any civil servant to remain above the suspicions of every community in a plural society.

African fears of settler accessibility to the inner halls of government, should Lord Passfield's scheme of closer union be implemented, were presented to the Joint Committee most colorfully by Chief Koinange Mbiu. The Chief said that "if there was a High Commissioner, what they [were] afraid of [was] that all that would happen would be that people like Lord Delamere would get the ear of the High Commissioner, and that they would not be able to do so." [83] Chief Koinange said that the reason "why he would fear that Lord Delamere (using that as a term for the unofficial people, that is to say the representatives of the settlers) would get the ear of the High Commissioner too much, and the reason why he would be afraid of such advice [was] that after all they [were] in the position of owning the land upon which the natives were formerly living, and a man like Lord Delamere . . . could not possibly have any helpful advice as regards native affairs, or understand the conditions for the native reserves, where he, as a Native Chief, [was] in charge." [84]

To many an African, then, federation threatened to reduce even further their say in the management of their own affairs. A local High Commissioner who would, they feared, be subject to increased settler influence by the very fact of his residence in East Africa, would have the effect of cutting them off from the Colonial Secretary in London, whom they regarded as the most impartial arbiter of communal conflicts.[85] They placed little store in intricate balancing

mechanisms such as that proposed by the Hilton Young Commission. Instead, the safeguard they trusted was a power greater than any on the local scene—the overriding power of His Majesty's Colonial Office in London.

The African's desire to take part in the management of his own affairs had its widest repercussions with respect to Native administration. Many Africans felt threatened with a uniform Native policy which would be formulated at an even more unapproachable level than at that time. Such a uniform policy, moreover, would not necessarily be shaped along the lines of paramountcy, they feared, but might well be the means of imposing the Kenya system on the Africans of Tanganyika and Uganda.

African suspicion of a uniform Native policy was more intense, at least vocally, among the Baganda than any other tribe in the region. The Kingdom of Buganda, one of the four provinces of Uganda, laid its claim to special treatment to the Uganda Agreement of 1900, made with Sir Harry Johnston, Britain's Special Commissioner sent to the Protectorate to reorganize its administration. "This Buganda Agreement is the very lifeblood of us as a nation," declared Serwano Kulubya, the Kabaka's representative to the Joint Committee.[86] It was regarded by the Kabaka and his subjects alike "as having an almost scriptural authority and inviolability"[87] and any proposal (such as federation) which seemed to cramp their initiative in local matters became bitterly suspect.

What the Baganda wanted most, in the event that the British Government was determined to unite its territories in East Africa, was to be excluded from the jurisdiction of the central government with respect to Native affairs. To this end, the Kabaka resisted federation, with its "inevitable" uniformity of Native policy, with every legal means at his disposal. He sent numerous petitions to the British authorities in Uganda and London about his fear that "if this federation is effected it will become very difficult, if not impossible, for the British Government to extend special or exceptional consideration to Buganda with regard to any measures adopted for the native administration of the federation as a whole, but which might be repugnant to the terms or spirit of the Uganda Agreement."[88] His Ministers joined him in expressing similar anxieties:

"We share the great fear, expressed by the Kabaka in his memoranda, that if this union takes place, although on the surface of it may appear to be good, the inevitable result will be the reduction, little by little, of the power of the natives, and in the end the breaking of our Agreement. We have seen in our examination of the Report of the [Hilton Young] Commission, that the Native Policy must be uniform

(page 142, Chapter 4), but because the natives of these countries are of many different types, some of them living in a Colony as Kenya, who have no Agreement with the British, and with customs and the like which are widely different, and others in lands protected by the British, which have an Agreement with them, it would be a difficult thing to rule in the same way types which so widely differ without, in the end, being compelled to try to break up the Agreement, or to reduce the power of the one nation; for example, in Kenya, all native affairs are decided in a council of Europeans (Legislative Council), which makes laws or imposes taxes on the natives without the consent of the natives themselves, but because the majority of the Europeans approve, the law or the taxes can be imposed on the natives without their consent, while in Buganda there is a difference; all the power of government rests with the natives, and laws and taxes are first approved by the natives." [89]

As a proud people, the Baganda sought to remain to themselves, at least politically. They resisted federation because they feared the effects of uniform administration on their individualism as a people. Yet it must be kept in mind that while they were among the most outspoken foes of federation, they were by no means blind to the advantages of economic coordination. They suggested a flexible formula whereby Buganda would cooperate in common services while remaining aloof in respect to Native policy. The possibilities inherent in such an arrangement of functions were not fully realized until the emergency situation brought about by World War II thrust itself upon East African life.

The Indian community reacted against the proposals for federation for much the same reasons as did the Africans. This can readily be seen in the objections raised by Mr. Ghose in the Legislative Council of Tanganyika to a motion favoring federation. He declared that politically it was not sound to have federation at that time. Whereas the Imperial Government acted then as an arbiter between Europeans and Africans, federation would be partial to the interests of the settlers. "This Federation implies that East Africa should be a white man's country, [which] cannot be, and will not be." [90] He continued with the assertion that only the Europeans, and then only the British ones in Tanganyika, supported federation. These Tanganyikan federationists, he claimed, only hopped aboard the federation bandwagon after the appointment of the Hilton Young Commission. [91] All this went to show that the strength behind the movement for federation, as he observed it, came from the Europeans of Kenya who wanted federation, "but the condition is that they want white supremacy." [92] "What-

ever the Europeans from here may say," he warned his colleagues, "the Europeans in Kenya have great influence at home, and they will simply swamp the Europeans from here and the Kenya policy will ultimately become the policy of the Federal States. There is no doubt about that. If there is Federation, Kenya policy is bound to come to this Territory. For that reason we Indians will have nothing to do with Federation, and will fight tooth and nail against it, even if a Federal Constitution is established." [93]

Besides these general objections the Indians opposed federation for the special reason of the common roll.[94] For example, Sir Samuel Wilson found that the Indians of both Kenya and Uganda refused even to consider the question of closer union unless the common roll were implemented.[95] This spirit of resistance, which was maintained throughout the subsequent hearings, was strengthened by the Labor Government's backing of the White Paper which regarded the common roll in Kenya "as an object to be aimed at and attained," [96] as well as by the backing of the Government of India. In a dispatch to the Secretary of State for India of November 24, 1930, the Indian Government supported the claim advanced by their kinsmen for a common roll and opposed the idea of closer union. It declared: "There is a general feeling of apprehension that, in any scheme of Closer Union, the policy of the central authority in matters of common interest to all the three territories of Kenya, Uganda, and Tanganyika is bound to be affected by the political ideals of the European settlers in Kenya on account of their number and influence, and that, as these ideals in the past can only be described as complete political domination by the European community, Indian interests must necessarily be endangered by Closer Union . . . As regards the Kenya Legislative Council, the question of the introduction of a common electoral roll is of primary and vital importance, as on it depends a satisfactory solution of the East African problem from the Indian standpoint." [97]

Thus, in the end, the attempt at federation failed because each local community stressed its suspicions to the neglect of mutual advantage. Fear emerged as the common emotion of all communities in East Africa, depending upon the nuances of meaning included in each plan. Although all groups came to oppose federation in the end, the European community did advocate federation in the 1920's, but primarily as a security mechanism. That such a motivation can be an unsteady foundation on which to build a political structure is seen in the crumbling of Lord Delamere's boldest plans.

Fear can spur men on to noble enterprises, but it is limited in its ability to hold these gains unless it is allied with some more positive

objectives. The fear of external danger, for example, helped to drive both Australia and the American colonies into federation, but it is doubtful that these significant undertakings could have been maintained had not there been a strong "grass roots" will for common action. This will, however, is lacking in East Africa, where communal tension and insecurity make the building of a subtle and constitutional form of polity such as federation difficult in the extreme. After a series of detailed investigations and reports it became clear to British authorities that no common foundation existed on which to erect a federation. In the light of this situation, the British Government was compelled to abandon any plans for an East African federation until conditions had changed during the Second World War.

CHAPTER IV

ACHIEVEMENT OF ADMINISTRATIVE UNION

> "East Africa cannot afford the luxury of national or sectional self-sufficiency, any more than it can afford to formulate investment or development policies which leave better economic opportunities unutilized in one region in order to further much less valuable potentialities in another."—*East Africa Royal Commission 1953-1955 Report.*[1]

By the end of World War II the time was ripe for a revival of the federation issue in British East Africa. War had made inter-territorial planning an accepted feature of life for the time, and it was sure to carry over into the post-war period. The experience of finding an enemy in adjacent territory, following Italy's entry into the war in 1940, provided the necessary impetus for decisive steps in the direction of more effective institutions for regulation, direction, and coordination of the British territories in East Africa. This could be done well only on a wide geographical basis. Hence a burgeoning of councils and boards took place around the Secretariat of the Governors' Conference. The East African Production and Supply Council and the War Supplies Board are perhaps the most memorable of these transient bodies. These two agencies strove to fulfill Allied resource and manpower demands, but they found themselves continually hampered by the *de facto* constitutional basis on which they operated. "East Africa's contribution to the war effort," resolved the Association of Chambers of Commerce and Industry of Eastern Africa in 1944, "has been retarded by the retention of individual powers by the three territories, and the Governors' Conference and the East African Production and Supply Council have failed to produce means of speedy and unified action by East Africa as a single unit to the fullest extent desirable. . . ." [2]

Because authority was decentralized consultation and agreement were necessary before such action was possible. This caused confusion, delay, and discord. Therefore it is not surprising that by the war's end, both the need for a more efficient common machinery and the futility of the present arrangement became evident to many East Africans of all races and led to a widespread desire to place such non-political activities on a firmer constitutional footing.[3]

Dissatisfaction centered generally upon the Governors' Conference,

which was criticized as being both secretive and impotent. The Governors' Conference decided upon common legislation in private and then presented identical bills to the three Legislative Councils.[4] This procedure minimized the role of local, non-official groups and their representatives both inside and outside the Legislative Councils and naturally irritated them greatly. In effect His Majesty's Government recognized this situation (if not the resentment it engendered) when, in proposing an Inter-Territorial Organization in East Africa, it observed that "By its nature the Conference is not well designed to enlist the support of public opinion and to take full advantage of the considerable body of expert knowledge and experience which is available in East Africa." [5]

The impotence of the Governors' Conference was as exasperating as its secretiveness. Most interested persons agreed with Colonel Charles Ponsonby's indictment of the Conference as "a body which has no power and no decision, and is merely another post office on the way to Whitehall." [6] Lord Rennell declared on a BBC broadcast that the East African Governors' Conference "does not by any manner of means cover all the subjects common to these Colonies and in certain respects tends to clog up instead of simplifying the machinery of government" [7] and a Fabian research pamphlet asserted that "It would appear that with the pressing importance of certain aspects of regional collaboration and because of certain obvious advantages accruing from cooperation, the present inadequate machinery of the Governors' Conference should be re-examined to meet the new situation." [8]

Some of the leaders of the European community—particularly in Kenya—saw this as the moment to strike for closer union. "I think the time has come to bring the idea of union of the East African Dependencies out into the open," one local leader told the Thirty-Nine Society in Nairobi. British East Africans needed only one central administration, he continued, and not a multitude of separate governments each with expensive overheads and upkeep.[9] In this he was joined by Major Frank de Vere Joyce, a candidate for the Kenya Legislative Council, who favored "the economic amalgamation of the adjacent territories, followed in due course by complete unification into a great East African Dependency." [10]

When the Labor party published its White Paper on "Inter-Territorial Organization in East Africa" in December, 1945, it clarified the Government's intentions concerning closer political union. The purposes of the Government in issuing these proposals, George Hall, the Secretary of State for the Colonies, told the House of Commons, were:

"1. To provide a constitutional basis for the operation of the common services.

"2. To secure the more efficient coordination of policy and action, particularly in the sphere of economic development, communications and research.

"3. To associate representatives of the public of all races with the management of the common services.

"4. To provide effective means of enacting common legislation where this is required." [11]

This was not to be political unification but instead an arrangement designed to satisfy the need for popular control and responsibility and to secure greater efficiency and coordination with respect to the common economic services of all three territories. Creech Jones, the Under-Secretary of State for the Colonies, was emphatic on the purely economic nature of the proposed Organization. On February 1, 1946, he emphasized his wish "to make it clear to the House that the Government Paper does not involve proposals which in the past have been called 'political closer union.' Nor do the proposals involve the fusion of the East African Governments concerned. . . . the administration of each territory shall remain in the hands of the three Governments responsible today, and these Governments will continue to be responsible for the basic services of health, education, housing, labour, forestry, agriculture, and domestic problems of that kind." [12]

In brief, the White Paper on Inter-Territorial Organization proposed to establish a constitution for the common services which would create both an East African High Commission and a Legislative Assembly. The High Commission would consist of the Governors of Kenya, Uganda and Tanganyika, with the Governor of Kenya as Standing Chairman. The members of the Commission were to determine which discretionary powers the Chairman would have when the Commission itself was not in session. The High Commission would control only scheduled services during the initial period, but the Secretary of State might add to the schedule if he so desired.

The responsibility for the administration of the common services themselves would lie primarily upon the Chief Secretary to the High Commission, the Financial Secretary, the Director of Transport, the Postmaster General and the Commissioner of Customs. These five officials would be individually responsible for the administration of the various departments grouped under their direction, and, along with the Economic Adviser and the Legal Secretary, would form the *ex officio* members of the Central Assembly.[13]

The proposed Legislative Assembly would have the power to enact ordinances effective in the three territories. The latitude involved in this grant was limited, however, by the four-year life of the Assembly

itself, by the provision that every bill required the approval of the High Commission before publication, by the scheduled list of subjects on which the Inter-Territorial Organization might deliberate and administrate, and by the final responsibility of His Majesty's Government.[14]

The Legislative Assembly, as proposed, would consist of twelve official members: a Speaker, the seven *ex officio* members mentioned above, one member nominated by each Governor, and two members nominated by the High Commission. The twenty-four unofficial members would include six Europeans, Indians and Africans. While the non-African members would be elected by the territorial Legislative Councils, the Africans or the trustees for African interests (two from each territory) would be nominated by the High Commissioner. He would also nominate two members to represent Arab interests and four other members.[15]

Certainly the most striking aspect of this scheme is the suggestion that the unofficial members of the Assembly chosen by the territorial legislatures should represent the three main communities on an equal basis. In the case of a joint legislature of this type, His Majesty's Government stated that there was no logical alternative to equal representation.[16] "This is an attempt to build up a legislature on the basis of equality of race," Mr. Creech Jones told the Fabian Colonial Bureau. "To depart from that principle," he continued, "would be to land ourselves in no end of difficulty." [17] In the ensuing months, his oblique movements from a simple formula of equal racial representation to a compromise plan also including the selection of an unofficial territorial member in each territory may have been in line with his principle of equality, but the effect of his efforts, quite clearly, was to alter the balance of power within the non-official ranks of the Assembly in favor of the settlers, at least for the time being.

Local groups were wary and sometimes hysterical as they first learned of the Government's suggestions on the Inter-Territorial Organization. Disagreement centered primarily upon the equality of racial representation proposed for the Legislative Assembly. This satisfied no community. For each group simultaneously called for preferential treatment and criticized the White Paper either as undemocratic or too democratic.

The Africans did give grudging support to Colonial No. 191 after an initial reaction of disfavor. Was this, they wondered, actually closer union in disguise?[18] This fear of closer union was only stilled by repeated official assurances that the proposed machinery was strictly economic in nature. Also, the fury of settler disapproval in Kenya must have enlisted further African support, for whatever the settlers

rejected categorically must have taken on added luster for the more outspoken black nationalists of Kenya, Tanganyika, and Uganda.

Africans in all three territories soon signified their willingness to experiment with the proposed Inter-Territorial Organization for a four-year period, on the condition that there would be no retreat from the provision for equal representation of races in the Legislative Assembly.[19] The two African members of the Kenya Legislative Council stated that they regarded Colonial No. 191 as fair,[20] and J. S. Gichuru, presiding at the Second Annual Delegate Conference of the Kenya African Study Union, said that the Kenya African Union accepted the White Paper. It did so mainly because of the equal allocation of non-official territorial seats between the races; however, in the event of any suggestion which would give Africans an inferior position in the government of their country, the Kenya African Union would come out in opposition to the plan.[21]

At Uganda's Makerere College, the students issued a statement which commended Colonial No. 191 as the most reasonable basis for discussion presented up to that time regarding the closer association of three East African territories. The students strongly urged, however, that "the just and only justifiable representation should be proportional to the population of the three main races." [22]

Only in Tanganyika was there any appreciable African opposition to these initial proposals to establish an Inter-Territorial Organization. A meeting of the African Association at Dar es Salaam, attended by representatives of many provincial African Associations and by the President and Secretary of the Kenya African Study Union, decided that the time was not yet ripe for the inter-territorial machinery of Colonial 191. The Chairman, Chief Kidaha, stated that in all events there must be equal representation of races.[23]

Articulate Indian opinion in East Africa largely mirrored that of the African community in respect to Colonial 191. The Indians recognized the need for more efficient inter-territorial machinery, although they feared any innovations which might lead to closer political union. These were the sentiments found by A. B. Patel, the leader of the Indian elected members of the Legislative Council of Kenya and the President of the East African Indian Congress, on his tour of Uganda and Tanganyika at just this juncture. On his return from the trip he told an Indian Organization meeting that Indians should fight for equal representation as provided in Colonial 191. Indians would support the White Paper, but only on the condition that there would continue to be racial parity in the Legislative Assembly.[24]

European opinion spread itself over a wide spectrum. Business groups generally backed Colonial 191 insofar as it promised to facil-

itate commercial relations in British East Africa. Thus the Chambers of Commerce of Kenya, Tanganyika, and Uganda all hailed the White Paper with declarations of approval. For example, in a speech delivered to the Association of Chambers of Commerce and Industry of Eastern Africa, A. J. Don Small, the President, declared that the Association continued its almost unanimous support in favor of the non-political aspects of White Paper 191.[25]

It was only when the Chambers of Commerce were unable to avoid involvement in the question of racial representation on the proposed Central Assembly that they tended to part ways. Then the Uganda and Tanganyika Chambers of Commerce asserted a more wholehearted enthusiasm for equal representation than did their counterpart in Kenya. A memorandum sent by the Uganda Chamber to the Governor gave its general support to the principles enunciated in Colonial 191—including the principle of racial parity on the Central Assembly. Such parity, the Chamber felt, was "the only sound foundation for the future harmonious development of commerce and industry." [26] Likewise, a special meeting of the Northern Province Chamber of Commerce of Tanganyika emphatically agreed with Colonial 191 that "equality in members is the only practical basis for non-official representation of the three main races on the proposed Central Assembly." [27]

In Kenya, the Chambers of Commerce saw the proposals as an approach to a workable formula, even if defective in detail. Mr. Small elaborated on this deficiency at the annual meeting of the Nairobi Chamber of Commerce. "I can appreciate," he stated, "the justifiable concern in many quarters in Kenya over the introduction of a system of racial balance in unofficial representation which has nothing to commend it and no evidence of performance in the sphere of public affairs to justify its extension to the highest level of government business, but I believe that a Central East African legislature established on a less ambitious scale than that envisaged in the paper, with adequate unofficial representation based on territorial equality and perhaps with nomination by merit alone of the unofficial members from each Territory, would achieve the goal to which commerce has looked forward for so long." [28]

On the whole these territorial differences of opinion within the European community extended over into the more politically-orientated segment of that community as well. Thus the Europeans of Uganda and Southern Tanganyika applauded the principles of the White Paper with but minor reservations, while their kinsmen in Kenya and the Arusha District of Tanganyika supported almost to the man the elected members of the Legislative Council of Kenya in their policy of "cate-

gorical rejection." [29] Local political leaders were chagrined that the authors of the White Paper (the Secretary of State for the Colonies and the East African Governors) did not consult with local opinion before issuing the proposals on Inter-Territorial Organization in East Africa. Such a vexation, however, could hardly have been the main reason for what one elected member of the Kenya Legislative Council, S. V. Cooke, described as "a wave of political hysteria." [30] This outburst of disapproval within the European community continued from the time Colonial 191 was issued until it became obvious to all that the Colonial Office was prepared to revise some of its more irritating provisions.

The paramount cause of European protest was a fear that acceptance of racial parity in this instance would "put ideas of racial equality into the Africans' heads" on future occasions.[31] Such a prospect raised serious doubts in the European community. For months on end the politicians of Kenya railed against the proposal—and with telling success. At the end of six months of critical barbs the leader of the elected members of the Kenya Legislative Council wrote that, "I need hardly say that I could never agree to such a basis of representation nor to a Central Assembly with legislative powers as suggested in Paper No. 191," [32] and his right to speak for the majority of Europeans in Kenya went unchallenged. The other causes of resistance against the White Paper, such as insecurity with regard to white settlement and an uneasiness with respect to the future position of the Legislative Councils of each of the territories within a more unified East Africa, were linked with the fear of equal racial representation.

Europeans of various political persuasions agreed with their elder statesman, Lord Francis Scott, when he claimed that Colonial 191 assumed the proportions of a frontal attack on white settlement and was the worst onslaught ever made upon it.[33] Although these partisans agreed with Scott's view, they differed strikingly in their remedial approach to the problem. Whereas at least one political leader would have alleviated the problem by a drastic amalgamation of the East African territories into a single entity with "strong European unofficial control," [34] the majority pursued a more isolationist course. Thus the European elected members of the Kenya Legislative Council issued a communique which stated that they were prepared to set up machinery to coordinate certain limited common services, but they remained "of the opinion that Kenya must, in her own interests, retain freedom to pursue her own internal development policy." [35]

After reading this communique to a public meeting at Nakuru, Sir Alfred Vincent concluded, in part, that the settlers must under no cir-

cumstance agree to any alteration in the proportionate representation of their present Legislative Council or to the weakening of its powers in any way.[36]

By taking this stand, Sir Alfred laid himself open to serious criticism, for now it was the Europeans of Kenya who were responsible for obstructing cooperation between the territories in order that they might gain a free hand in territorial affairs.[37] Their fear of being swamped by non-officials from Uganda and Tanganyika led them to advocate a scheme somewhat akin to the Central African Council (which lacked legislative powers) at the very time their neighbors in Central Africa were finding this mechanism completely inadequate to its tasks. To take such a position was to fail in their role as the statesmen of East Africa. No doubt it sharpened group cleavages in the area and made the acceptance of a common East African citizenship and point of view less likely for a long time to come.

The scheme for inter-territorial cooperation put forward by the Kenya settlers deserves mention, for it casts a revealing light upon the extent to which these Kenyans would pursue a policy of "go it alone." At the time when the European elected members of the Legislative Council had rejected Colonial 191 categorically, they announced that they would submit alternative proposals in the near future. In May, 1946, the sub-committee appointed to draw up these counter-proposals reported its conclusions. Instead of a High Commission and Central Assembly as provided for by the White Paper, their scheme proposed the creation of a Standing East African Council, with a secretariat, for a trial period of four years. The Council would be composed of an independent chairman, the three Governors as *ex officio* members, three official members from each territorial Legislative Council, to be nominated by the Governor, and four non-official members of each territorial Legislative Council, also nominated by the Governor. The delicate question of race was skirted about and entrusted to the judgment of each Governor. However, no chances were taken in the process. It was suggested that the Council only be given such executive powers as the Legislative Councils of the three territories might deem necessary. These powers were to concern the common services only and were to be granted after an eighty per cent majority vote was gained out of a total membership in each of the three Councils—a near impossibility. While a common fund was to be established to meet recurrent expenses as well as the expenses of the secretariat, the proportionate contribution of each territory was to be decided by the three Legislative Councils by a vote of at least eighty per cent of the total members of each Council.[38]

A spate of ridicule followed the publication of these counter-pro-

posals. The magazine *East Africa and Rhodesia* considered them the "negation of statesmanship" and depicted Sir Alfred Vincent and his colleagues as "so preoccupied with the idea of conferring the maximum powers of obstruction upon a small minority that they fear to specify even one of the major common services over which they would give the majority constructive authority." [39]

In Kenya, S. V. Cooke, the elected member for the Coast, called the alternative proposals "monstrous" and "fantastic," considerably worse than Colonial 191,[40] and the pro-settler daily, the *East African Standard,* found in them little to be exultant about. The public meetings which were held following the issuance of the counter-proposals made it abundantly clear that they would have but a short-lived future. Public apathy sealed their fate and the counter-proposals faded into obscurity.

During the summer, Mr. Creech Jones toured East Africa and held discussions with all racial groups regarding the Government's proposals in Colonial 191. He summarized his findings in the following manner: "The Africans were still shy of the proposals lest they lead to political fusion of the three territories, but on being reassured they supported the Paper. The Indians also gave their endorsement of the proposals. European opinion, however, is not unanimous. With some there is anxiety that economic development should proceed without further delay and, while the principle of an equal number of racial representatives is disliked, they prefer the Paper as it stands to the present situation continuing. An important section of the European community, however, endorses the views expressed by Sir Alfred Vincent and, unfortunately, in the discussion considerable racial feeling has been engendered." [41]

By February, 1947, Creech Jones, having risen to the position of Secretary of State for the Colonies, announced the Government's revised proposals on Inter-Territorial Organization in Colonial 210. A number of significant changes were included. First, the new White Paper proposed a general review of the Central Assembly during its initial four-year period of operation, in order to determine whether the life of that body should be extended and what form it should take.[42]

Second, the new proposals suggested that the scheduled services not be augmented during the initial four-year period "without the clearest expression of approval . . . in each of the three territorial Legislative Councils." [43] If a motion for extending the list met with "substantial opposition" in any of the Legislative Councils, further consideration and opportunity for debate would be obligatory. This procedure applied also to any proposal to increase the list of subjects

to be dealt with by the Central Assembly.[44] And third, Colonial 210 recommended a change in the composition of the Central Assembly. In addition to the Speaker, it proposed seven official members appointed *ex officio* from the staff of the High Commission services, five members appointed from each of the three territories, and one member of the Arab community appointed by the High Commission. The five members from each territory would include one territorial official appointed by the Government; one unofficial member of the Legislative Council elected by the unofficial members voting as a whole; and one European, one Indian, and one African unofficial member appointed by the Government (except for Kenya, where special arrangements might be made for the European and Indian members to be elected by the respective elected members).[45]

These latter provisions on composition shifted the ratio of official to non-official members from 12:24 to 10:13; they also modified non-official representation based on parity of the three main races by the inclusion of an additional member elected by the non-official members of each Legislative Council from within their own ranks. Creech Jones explained his position on this by denying that the scheme involved either racial discrimination[46] or the abandonment of the principle of equal representation.[47] "What we have done," he told Parliament, "instead of the high commission set up under this scheme appointing four nominated persons to serve on that assembly, is to ask the unofficial members of each Legislative Council to select one of their number to represent the territorial interests of their colony, and he will sit with the three representatives of the respective communities and represent, as against racial demand, territorial needs."[48] Since the plan did not specify the territorial representative's race, there was a *de jure* equality of opportunity. This was not sufficient compensation for the Indians and Africans, however. They knew the high proportion of seats held by Europeans on each of the three Legislative Councils and concluded that the non-Europeans had little chance of election in the event of European bloc voting.[49]

Once the revised proposals were issued, a bitter political struggle engulfed East Africa. Lines were drawn so tightly that no political leader, not even the Labor Colonial Secretary, could remain above the conflict.[50] By and large each racial group pursued a course limited almost exclusively to its own self-interest, but by functioning in this manner each community tended to neglect the interests of East Africa as a whole. The consequences of this communal struggle over Colonial 210 are still in evidence today, for it has been extremely difficult to build up an East African leadership with an inter-territorial rather than a territorial or racial outlook.[51]

If Colonial 210 was intended as a compromise solution to the group struggle in East Africa, it failed miserably in its task. The lines held fast. In general, the opponents of Colonial 191 became the defenders of Colonial 210, and the outflanked advocates of Colonial 191 shifted quickly into the opposition ranks when the modified proposals were issued. Probably no inter-territorial constitution has come into operation peacefully with so few enthusiastic champions.[52]

The European residents of the highlands of Kenya and northern Tanganyika accepted the revised proposals with apparent relief. They appeared to realize that the time for a European unofficial majority on the East African legislature had passed.[53] This was, in fact, the best bargain attainable for them under post-war conditions. Hence public meetings held at Uasin Gishu, Ukamba, Nairobi, the Rift Valley, and Nuanza endorsed Colonial 210 in principle and authorized their member on the Legislative Council to accept this White Paper, provided that the territorial member was elected by all the members (official as well as unofficial) of the Legislative Council in each of the three territories. In the debates which followed, this last point was not pressed, however. For as Major F. de Vere Joyce, the member for Ukamba, told the meeting of the Ukamba Electors' Association on March 28, 1947, the Secretary of State for the Colonies had made "tremendous concessions to our point of view. . . . We were not going to accept equal representation with the other two races, and it is here that the Secretary of State has made his greatest concession." [54] The settlers did not really expect more than this.

In the other camp, an unorganized coalition of Africans and Asians in all three territories, joined by the Europeans of Uganda and southern Tanganyika,[55] were left in a state of numbed bewilderment after Creech Jones issued Colonial 210. By his action, Labor's Colonial Secretary had seemed to them to heed the entreaties of the settlers more than those of the less impassioned and less vocal multitudes of Kenya, Uganda, and Tanganyika. Now the trend seemed clearly against them, and the Africans, Indians, and their European allies acted hastily to regain their lost momentum. Each of these communities pilloried Colonial 210 in swift succession.

A meeting of the Kenya African Union in Nairobi accepted the principle of inter-territorial organization of the common services, but with respect to the Government's revised proposals it resolved:

"That Kenya African Union meeting views with great disappointment the proposals for the composition of the Central Assembly contained in Colonial Paper No. 210. The meeting is of the opinion that the Colonial Office has accepted the views of the white community of Kenya which forms the minority of the Kenya population and dis-

regarded African opinion which had supported Colonial No. 191. This meeting resolves that the proposals for the constitution of the Central Assembly contained in Colonial No. 191 be reverted to so as to create a new era of cooperation between all the inhabitants of East Africa, and that it hopes that Colonial Office will not force proposals for the constitution of the Central Assembly in 210 on the unwilling mass of Africans in Kenya." [56]

Likewise, the Central Council of Indian Associations issued a communique on April 20, 1947, declaring the modified proposals unacceptable because they were contrary to the best interests of both Uganda and East Africa: "The Council regrets to note the departure from the fundamental principal [*sic*] contained in Paragraph 22 of Paper 191 that Equality in Number is the only practicable basis for unofficial representation of the main races and feels that the departure suggested by the Secretary of State on the representations made to him by part of one community in one territory is unjustified and creates a constitutional precedent inimical to the harmonious development of all races in East Africa." [57]

Even the European community of Uganda joined the camp of the opposition by roundly condemning the revised proposals. A well-attended meeting of the Uganda Chamber of Commerce in Kampala on April 22, 1947, resolved in part: "In framing the proposals for the Legislative Assembly as outlined in Paper 191, His Majesty's Government and the East African Governors had come to the conclusion that there was no logical alternative to equal racial and territorial representation. The revised proposals contained in Colonial Office Paper 210 put forward no reasons for departure from this principle. The Chamber in deliberating Paper 191 accepted and insisted upon equal representation of the three main races as the only sound foundation for the future harmonious development of commerce and industry. The Chamber is still emphatically of this opinion and is therefore not prepared to accept the revised proposals."[58]

As these particularly significant statements of policy indicate, a large proportion of British subjects in East Africa were set against the alleged "inequality inherent in the formula for representation in Paper 210" [59] from the very outset. It is not surprising, therefore, that these groups grew apprehensive as the day for Legislative Council debates on this issue approached. Official majorities on each Council made the triumph of Government policy inevitable. In the face of this certainty, the opponents of Colonial 210 quietly prepared to restate their case both for their constituents in East Africa and for the information of their friends abroad.

The debates which took place on the modified proposals were car-

ried on almost simultaneously in the three Legislative Councils. The motion to accept the proposals for an Inter-Territorial Organization in East Africa as set out in Colonial 210 was introduced by the Chief (or Acting Chief) Secretary of each territory. He would sketch the main reasons for placing particular services on an inter-territorial basis. He would depict the Governors' Conference as an inefficient and nebulous body which must be replaced by a more adequate constitutional organ and state that Colonial No. 210 answered that need. These proposals, he would assert, were "fair and reasonable to all concerned," [60] capable of filling the glaring administrative needs for the coordination of services common to all three territories.

Within the non-official ranks of the three Legislative Councils, the Europeans voted with the official majority in accepting Colonial 210, although they did so with notable reservations in some cases. The Europeans of Uganda exhibited distrust over the possible use of this economic union as a wedge to secure closer political union. On this they were reassured by the Governor of Uganda, who said that if he thought that Colonial Paper 210 involved political union or political fusion in East Africa, someone other than he would have had to be found to recommend its acceptance to the Council.[61] The Europeans of Kenya, on the other hand, were still not fully reconciled to the removal of important matters from the direct influence of the electors. They feared that the Legislative Councils would come to act as electoral colleges only, thereby forfeiting their function as responsible agencies of the voters.

It was essentially the African and Asian members of the three Councils, then, who refused most adamantly to accept the modified proposals and who argued most bitterly against the alleged iniquities of the scheme. "We are going to yield to Kenya rule," [62] I. C. Chopra warned the Legislative Council of Tanganyika. Indian public opinion has decided on "the categorical rejection of the proposals . . . in Paper 210," [63] declared V. M. Nazerali, who detected "the thin edge of the wedge to attain as much political domination as is possible" for the Kenya settlers.[64] Mr. Patel of Kenya realized that Colonial 210 emphasized territorial rather than racial representation, but this did not "hide the fact that it has been done with a view to securing greater representation for the European community and to meet the wish of the European community to have no equality under any circumstances with the Indian community." [65] And Mr. Mathu, African member of the Kenya Legislative Council, proposed a revision in the method of selecting territorial members of the Central Assembly which would substitute appointment by the High Commission for election by the non-official members of each Legislative Council.[66]

These anxious statements highlight some of the fears held by the non-Europeans with respect to the modified proposals. However, African leaders were by no means unaware of the need for operating on an East African basis. Mr. Mathu, for one, emphasized he was not opposed to the principle of inter-territorial reorganization. That which he and his associates did oppose was what they considered to be a retreat from the equality explicit in Colonial 191.[67]

The motions to accept Colonial No. 210 were carried in each Legislative Council by a wide margin. In Kenya, the Indian, African and Arab elected and nominated members voted against the motion; in Tanganyika, the Asian members similarly opposed the motion while the two Africans pointedly abstained because their constituents had not had sufficient time to consider the modified proposals; and in Uganda, two Indian and three African unofficials cast their votes against Colonial 210. This was certainly not an enthusiastic atmosphere in which to inaugurate an Inter-Territorial Organization in British East Africa.

On July 28, 1947, Creech Jones, announced in the House of Commons that he had decided to bring Colonial No. 210 into force and thereby to end debate on the question. He made this decision in full recognition of the opposition to the revised proposals which existed in many quarters. This antagonism, he noted, was largely confined to the question of the proposed composition of the East African Assembly on the unofficial side. In this regard Creech Jones denied unequivocally that the scheme as issued in Colonial 210 had departed from the principle of equality in the representation of the three main races. In support of this contention he attempted to refute the widely held assumption that the three territorial members would necessarily be Europeans; he deemed such a conclusion to be unwarranted in the light of the compositions of the territorial Legislative Councils on the unofficial side.[68]

As announced, the High Commission came into operation on January 1, 1948, and the East Africa Central Legislative Assembly held its first meeting on April 6, 1948. At its opening session, D. R. Rees-Williams, the Under-Secretary of State for the Colonies, told the legislators that the machinery which was then being set in motion "ensures a constitutional backing for the operation of inter-territorial services in East Africa, and associates representatives of the public in their management and control."[69] Administration of the territories was carefully left to the jurisdiction of the territorial governments. However, a means now existed, as set out in the East Africa (High Commission) Order in Council of 1947, to operate the common services on a unified basis.

The basic law on which this new machinery rests deserves some analysis, for it amplified the suggestions put forth in Colonial No. 210. The Order in Council established an East Africa High Commission and an East Africa Central Legislative Assembly. Since the Assembly is patterned closely after the proposals set forth in Colonial 210, attention here will be directed primarily to the High Commission. The High Commission consists of the Governors of Kenya, Tanganyika, and Uganda, with the Governor of Kenya as the Chairman and headquarters at Nairobi. Decisions of the High Commission are normally reached by mutual consent; although in the event of a vote, the majority prevails. This situation made the Trusteeship Council so uneasy that it recommended the Governor of Tanganyika be given the right, in addition to the normal power of disallowance exercised by the British Government, "to oppose any measures which are in his opinion inconsistent with the terms of the Trusteeship Agreement, with the provisions of the Charter, or with the interests of the Trust Territory." [70]

The High Commission is charged with two basic functions. First, it administers a host of services such as the East African Posts and Telegraphs Departments, the East African Tsetse Reclamation Department, and the East African Industrial Council.[71] Second, the High Commission takes a very active part in guiding the affairs of the Central Legislative Assembly. The seven leading officers of the High Commission are *ex officio* members of the Assembly, which ensures them an opportunity to play a leading role in the deliberations of that body. Moreover, in respect to legislation, all bills introduced into the Assembly require the prior approval of the High Commission,[72] and they cannot become law until either the High Commission or Her Majesty (through a Secretary of State) assents.[73] The Order in Council also provides: "If the High Commission shall consider that it is expedient in the interests of public order, public faith or good government . . . that any Bill introduced, or any motion proposed, in the Assembly should have effect, then, if the Assembly fail to pass such a Bill or motion within such time and in such form as the High Commission may think reasonable and expedient, the High Commission at any time in its discretion may, notwithstanding any provisions of this Order or of any Standing Rules and Orders of the Assembly, declare that such Bill or motion shall have effect as if it had been passed by the Assembly . . ." [74]

This sweeping authority is subject, as are all the lawmaking powers granted under this Order, to the disallowance of Her Majesty acting through a Secretary of State. Nonetheless, it does place the broad supervisory powers of the High Commission in relation to the Central

Legislative Assembly in bold perspective. The legislature is kept strictly within the confines laid out by the executive. The non-officials are free, to be sure, to voice their opinions as they wish, but the Assembly can hardly be expected to shape major policies unless the executive is made responsible in some manner to its will—an unlikely prospect under present conditions.

But is this machinery, as described, federalism in disguise? The East Africa High Commission, observes Sir Philip Mitchell, "is of course a federal authority, but there is an agreeably human understanding in all these countries not to say so aloud." [75] Coming from a former Governor of Kenya this seems a surprising statement in view of the repeated promises that the scheme is not to be regarded as a step toward political union or the fusion of the East African territories. Did the British Government accomplish more than it realized; did it even succeed in wedging federation into East Africa through the rear door? These speculations are easily refuted once the powers of this new machinery are analyzed.

An analyzation reveals clearly enough that the High Commission is not a federal authority in all but name, (a) because the Central Legislative Assembly depends for its existence upon the consent of the territorial Legislative Councils, (b) because the fund established by the Commission to operate the non-self-contained services consists only of the grants made by resolutions of the three Legislative Councils or such other amounts as may be received by the High Commission, (c) because the Central Legislative Assembly possesses no powers to determine the tax rates or tariff rates, and (d) because other highly significant powers such as those concerning lands, labor, and agricultural production are left in the hands of territorial authorities.[76] The federal form of government does not allow for such weakness at the center. Each sphere of government must perform functions of significance and must be sufficiently vital and independent to be able to rely upon its own resources in carrying out these functions. The Inter-Territorial Organization may in fact be assigned important duties, but it is too dependent on territorial consent for its resources—and even its existence—to satisfy the minimal standards of federalism.

What, then, is an accurate description of this arrangement? It seems wisest to describe it simply as an administrative union which was established to coordinate the common services in East Africa. To be sure, there will be political overtones in any organization which encompasses the dimensions of British East Africa,[77] but the primary emphasis is upon the administration of technical services. The power to establish railway rates, for example, indicates a sizable area of authority. This function, however, falls at least as much in the area

of administration as legislation. Therefore it is reasonable to refer to the Organization as an administrative union, realizing at the same time that a limited authority for policy formulation is implicit within this concept.

As the Organization settled down to business on January 1, 1948, its future seemed insecure at best. The controversy leading up to its founding stirred territorial and racial animosities to new heights. Could the Organization perform its responsibilities and expand its services in the face of this suspicion and hostility? Considering the circumstances of its creation, the East Africa High Commission and the East Africa Central Legislative Assembly actually did rather well in gradually becoming an accepted part of East African life. This is not to imply that it has been embraced all along the line, for that is not the case. It does mean, however, that many East Africans have demonstrated a willingness to experiment in good faith with this inter-territorial apparatus—as long as it remains primarily administrative in nature. Any suggestion that the Organization represented the nucleus of a political federation was looked upon with serious misgivings. But since its officials have been able to avoid such suggestions for the most part, the Organization has taken root and has proved an enduring means of inter-territorial cooperation.

Three examples of the steady growth of public confidence in the Inter-Territorial Organization are worth recording. First, its scope was expanded, a sure indication of support, since opposition in the Legislative Council of any of the territories would have made further debate mandatory. The debate in the various Legislative Councils over the amalgamation of the railways and port systems is most noteworthy in this respect. Speech after speech in the different Legislative Councils emphasized the need for inter-territorial operation of the railroads. "We cannot afford, sir, to be isolationists," a Tanganyikan asserted, "and the usefulness of our present railway system with all its ends in the air, so to speak, cannot be fully developed so long as they remain in their present state of complete isolation." [78] These sentiments were echoed in the Kenya Legislative Council as well. Mr. Patel, a leading Indian opponent of Colonial 210, supported the motion and stated his belief that "once we have accepted the reorganization and the central set-up has been put into operation there will be no turning back." [79] His African colleague, Mr. Mathu, also backed the motion, declaring that the amalgamation of the railways and ports was "absolutely essential." These economic problems, he continued, cannot be dealt with "from isolated water-tight compartments." [80] Indian, African, and European were united in their determination to

give this new mechanism a fair test. Such a detached and reasonable attitude toward a concrete question of policy is a sign of confidence in multi-racial Africa.

The decision in 1951 to renew the life of the East Africa Central Legislative Assembly is a second example of public confidence in the Inter-Territorial Organization. This motion received general support in the three Legislative Councils. The debates on the motion did, however, reveal some dissatisfaction in regard to the operation of the inter-territorial services, particularly in Kenya. Mr. Blundell, the leading unofficial member on the Kenya Legislative Council, urged caution in placing any more services under the jurisdiction of the High Commission because of alleged inefficiencies in the administration of the self-accounting services, such as the East African Posts and Telegraphs Department and the East African Railways and Harbours Administration. He claimed that "We, on this side are, I think, universally dissatisfied with the standard of the services provided by the High Commission." [81] However, Mr. Mathu stated that he considered the performance of the Central Legislative Assembly sufficiently impressive to justify its extension for another four years. What he criticized was, first, the general tendency of the Governors to appoint African members who did not "strongly represent the views of the African community in these territories as the African people want" and, second, the failure of the African members of the Central Legislative Assembly to be associated closely with the Advisory Boards and Councils.[82] Even at the time these complaints did not seem to strike very hard at the life of the new inter-territorial apparatus, and, as the Organization became entrenched in the life of East Africa (as signified by its second extension in 1955), they faded into the background.

A third indication of the growth of public confidence in the Inter-Territorial Organization is the decision in November, 1956, to increase the membership of the East Africa Central Legislative Assembly from twenty-three to thirty-three. This move by itself would hardly have been considered had any of the communities expressed ardent opposition to the plan,[83] especially since the change affected the composition of the Assembly—the storm center of previous controversies.

With the changes effected, the Assembly consists of a Speaker, seven *ex officio* members, six nominated members, and twenty non-official members. Two nominated members are appointed by each of the three Governors. In Kenya and Uganda these nominated members must hold an office of emolument under the Crown, but in Tanganyika one member need not hold such office. Of the twenty non-officials, two are Arabs appointed by the East Africa High Commission and six are

appointed from each of the three territories in different manners.

The greater elasticity permitted each territory to determine its own means by which the additional seats should be distributed is considered a notable feature of this increase in membership on the Central Legislative Assembly.[84] Thus in Kenya, the Governor appoints three members and the other three are elected—one by the European elected members of the Legislative Council, one by the representatives of the Legislative Council appointed to represent the interests of the African community, and one by the Indian elected members of the Legislative Council. None of these six unofficial members from Kenya need be members of the Kenya Legislative Council in order to be selected. On the other hand, a different formula was employed in Tanganyika and Uganda, where the Governor appoints three members and the representative members of the Legislative Council elect the other three from among all the members of the Council.[85] Under this arrangement, the Africans of Uganda and Tanganyika can anticipate an equal if not a predominant position on their respective delegations within a short time. Such a prospect cannot but enhance the High Commission in African eyes.

But even with growing confidence in administrative union, British and local suspicion of European ambitions to achieve political federation still lingers. Doubt persists as to the intentions of the Kenya Europeans, particularly because of their economic predominance and their attitude on race relations.[86] These feelings were complicated by the Mau Mau crisis and the frank statements of white leaders of Kenya reported in the press. To stress time and time again, as did the European settlers in the election campaign of 1952, that within the decade Kenya shall enter into some form of closer union with Uganda and Tanganyika,[87] was only to court an inevitable counter-reaction.

This reaction came in full force a year later. It arose from a statement by the Secretary of State for the Colonies, Oliver Lyttelton, at the East African Dinner in London, in July, 1953: "You have seen, in the controversies over Central African federation, where Her Majesty's Government stands in these matters [of closer union]. That federation both politically and economically will be of immense benefit to the three Central African territories is, I believe, an established and unshakeable fact. *Nor should we exclude from our minds the evolution, as time goes on, of still larger measures of unification, and possibly still larger measures of federation of the whole East African territories.*" [88]

The press immediately seized upon this remark and featured it as indicating that Britain intended to follow up the federation of Central

Africa by the federation of East Africa. Thus, the well-informed editors of *East Africa and Rhodesia* concluded: "Mr. Lyttelton . . . gave the heartening news last week at the East African Dinner in London that federation of the East African territories forms part of his policy. There has been much too much isolationism in East African thought and action in recent years, and this pointed reminder to the political leaders of Kenya, Uganda, and Tanganyika that Her Majesty's present Government favours the closer union of those three Dependencies can do nothing but good." [89]

Under these circumstances it does not seem surprising that Lyttelton's statement was taken seriously in all quarters. Local European response to the remark was lukewarm at best,[90] and virtually all the Africans, ever anxious over the federation issue, denounced it.[91] Almost immediately the first signs of an impending crisis in Buganda were evident. Although it is unfair to lay all the trouble which resulted in Buganda, culminating in the deposition of the Kabaka, at Lyttelton's door, it seems reasonable to conclude that his remark helped to set off a blast which had been building up in Buganda for years.[92]

As background to the Buganda affair, it should be noted that extreme sensitivity on the federation issue is a hallmark of the attitude in all Uganda (of which Buganda forms only one of the four provinces). The people of Uganda see federation as a threat to their dreams of self-government. For if Uganda is federated into an East African state, its fate would then be joined to that of multi-racial Kenya. Such a situation was interpreted as opening the way to the hegemony of the settlers of Kenya.[93] Moreover, local businessmen hoped to avoid any further entanglement with Kenya's affairs for competitive reasons;[94] and all groups in Uganda wished to bypass the problem of the color bar, which is particularly offensive to them. It was only when Lyttelton announced in Parliament that Britain intended to develop Uganda into a self-governing state with government mainly in African hands (but with constitutional safeguards to protect the rights of minorities)[95] that the people of Uganda felt assured of attaining the political future they sought.

The Baganda, in particular, reacted harshly and intransigently to the early reports of Lyttelton's speech. Only three days after excerpts of the speech were printed in the *East African Standard,* the Kabaka's Ministers (acting in his absence) addressed a letter to the Governor, Sir Andrew Cohen, noting the Colonial Secretary's remark on federation with misgivings and requesting that the British Government be informed of their opposition to political fusion with Kenya and Tanganyika.[96] The Governor communicated the message to Lon-

don, as requested, and was authorized, in turn, to inform His Highness the Kabaka that, with respect to *present* British intentions, the Secretary of State's speech "did not indicate any change of policy on the part of Her Majesty's Government; [and] that the future development of Uganda and the other East African territories must be largely guided by local public opinion." [97]

In his reply of August 6, 1953, the Kabaka took sharp issue with the Governor's assurance on federation because Her Majesty's Government limited its pledges to the present only. Furthermore, he raised the question of what constituted the guidance of local public opinion. The Kabaka pointed to the recent establishment of the East Africa High Commission and the Central African Federation as inter-territorial mechanisms which were created by the British Government despite the opposition of local public opinion. "What has happened before and elsewhere," he warned, "may happen here; thus the profundity of our present fears." [98]

After this description of his continuing fears with regard to the federation issue, the Kabaka dropped two new elements into the discussion. First, he stated a strong desire to see Buganda's affairs managed by the British Foreign Office instead of the Colonial Office. And second, he asked Her Majesty's Government "to prepare and put into effect a plan designed to achieve our independence and if possible within a short stated space of time." [99] These additional objectives opened an entirely new dimension to the affair. For now the Kabaka was seeking not only assurances with regard to federation but was attempting to achieve independence for his people within the British Commonwealth as well. This implied a separation of Buganda from the rest of the Protectorate, thereby establishing a small tribal state in defiance of the trend toward big political units. It was a bold, yet somewhat unrealistic, means of gaining a more certain safeguard against inclusion into an East African federation.[100] It led in large part, moreover, to the Kabaka's temporary demise from power in November, 1953.

Sir Andrew Cohen discussed the contents of the above letter with the Secretary of State while in London. On his return to Uganda, he wrote to assure the Kabaka that the Secretary of State fully realized the strength of feeling in Buganda on the issue of federation. Moreover, he informed the Kabaka of the following assurance on federation:

"Her Majesty's Government has no intention whatsoever of raising the issue of East African federation either at the present time or while local public opinion on this issue remains as it is at the present time. Her Majesty's Government fully recognizes that public opinion in

Buganda and the rest of the Protectorate would be opposed to the inclusion of the Uganda Protectorate in any such federation; Her Majesty's Government has no intention whatsoever of disregarding this opinion either now or at any time, and recognizes accordingly that the inclusion of the Uganda Protectorate in any such federation is outside the realm of practical politics at the present time or while local public opinion remains as it is at the present time. As regards the more distant future, Her Majesty's Government clearly cannot state now that the issue of East African federation will never be raised, since public opinion in the Protectorate, including that of the Baganda, might change, and it would not in any case be proper for Her Majesty's Government to make any statement now which might be used at some time in the future to prevent effect being given to the wishes of the people of the Protectorate at that time. But Her Majesty's Government can and does say that, unless there is a substantial change in public opinion in the Protectorate, including that of the Baganda, the inclusion of the Protectorate in an East African federation will remain outside the realm of practical politics even in the more distant future." [101]

It is important to note that at a private conference with the Governor on November 3, 1953, the Kabaka indicated that he was prepared to regard this pledge on federation as satisfactory, subject to the inclusion of a reference to the Great Lukiko (the Baganda's own council). Since the Secretary of State for the Colonies agreed to this addition, Her Majesty's Government considered this part of the dispute settled. "The acceptance by the Kabaka of this part of the reply of Her Majesty's Government," stated the White Paper presented by the Secretary of State to Parliament in December, 1953, "therefore disposed once and for all of federation as an issue between himself and Her Majesty's Government and it played no part in the final events leading up to the withdrawal of recognition from the Kabaka." [102] The Baganda themselves disputed this conclusion.[103] Nevertheless, since the area of difference between the two parties on the federation issue seemed very slight by then, it seems fair to accept the Government's conclusion that the withdrawal of recognition was occasioned primarily by a deadlock over the two issues just mentioned—transfer to the Foreign Office and independence for Buganda. Matters were further complicated by the Kabaka's refusal to nominate Baganda members to the Legislative Council. At this point, the Governor felt obliged to notify the Kabaka that Her Majesty's Government had withdrawn its recognition and no longer recognized him as the Native Ruler of the Province of Buganda.

There is no need here to follow the intricate political maneuver

which took place while the Kabaka was in exile. It does seem useful to note, however, that the Baganda delegation which journeyed to London to petition for the Kabaka's reinstatement maintained that the Great Lukiko did not want the secession of Buganda but, rather, its inclusion within Uganda on a federal basis.[104] This local federalism was rejected and Uganda remains primarily a unitary state. In time, the main purpose of their trip was granted, nonetheless, for the Kabaka returned to Buganda as a constitutional monarch in the fall of 1955. His exile had, if anything, enhanced his stature at home; and his firmness on the issue of federation had certainly won for his people the strongest possible assurances from the British Government.

Suspicion of European intentions to create an East African federation were also aired in the United Nations. Both the General Assembly and the Trusteeship Council became involved in the federation issue as a consequence of their special responsibility for Tanganyika—a trust territory. For while Article 5(b) of the Trusteeship Agreement permitted the Administering Authority "to constitute Tanganyika into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control," [105] in effect it opened the way to U.N. supervision by insisting upon the consistency of such measures with the basic objectives of the trusteeship system and with the terms of the Trusteeship Agreement. The basic objectives of the system, as interpreted time and again by the General Assembly, forbid any political association on the part of Tanganyika which would extinguish its separate status or which would deny to the inhabitants of Tanganyika "their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned. . . ." [106] Practically all of the United Nations concern regarding East African federation revolved around these objectives of separate status and popular self-determination. Therefore, each of these deserves special treatment.

Separate political development of trust territories appears to take on a primary importance for most of the members of the United Nations. On a number of occasions members of the United Nations have recognized the economic advantages of union with Kenya and Uganda,[107] but they seem to harbor a well-intentioned bias in favor of separate political status for trust territories even to the detriment of inter-territorial planning. Thus, the General Assembly endorsed an observation of the Trusteeship Council that an administrative union "must remain strictly administrative in its nature and its scope, and that its operation must not have the effect of creating any conditions which will obstruct the separate development of the Trust Ter-

ritory, in the fields of political, economic, social and educational advancement, as a distinct entity." [108] Both the General Assembly and the Trusteeship Council have attempted, time and again, to encourage this independence by requesting that the administering authorities furnish precise financial, statistical, and other data relating to trust territories participating in administrative unions; facilitate the access of visiting missions to information on administrative unions in order to enable them to report fully on the territory concerned; continue to maintain the boundaries and identity of trust territories participating in administrative unions; and ensure that expenditures on administration, development, and welfare on any trust territory participating in an administrative union be not less than the total amount of public revenue derived from the territory. [109] Other safeguards, such as consulting the Trusteeship Council prior to establishing a union which includes a trust territory and submitting the whole of an administrative union, non-trust and trust territory alike, to the supervision of the Trusteeship Council, ran headlong into British, Australian, and Belgian opposition.[110]

An outstanding example of United Nations efforts to preserve the territorial distinctness of Tanganyika in economic matters is the continuous criticism leveled against the East African Industrial Council. This Council, a scheduled service of the East Africa High Commission, is composed of one official and two non-official members from each of the three territories. The function of the Council is to encourage the orderly promotion and development of British East Africa and to advise the High Commission on broad questions of policy relating to industrial development. To carry out these objectives, the Council issues licenses for the manufacture of articles scheduled under the Industrial Licensing Ordinances, which were identical in each of the three territories. Under the terms of these Ordinances, no person shall engage in the manufacture of certain articles of cotton, wool, pottery or stoneware unless he has first obtained a license from the Council.[111] In effect, these licenses confer a temporary monopoly upon the successful applicant.

Almost inevitably such wide discretionary powers raise doubts in the minds of many observers. If the scope of the East African Industrial Council should be extended over much wider fields, these onlookers fear that the most developed of the three territories (Kenya) would benefit to the disadvantage of the less developed territories (Tanganyika and Uganda). Thus, the Committee on Administrative Unions of the Trusteeship Council warned: "Although equal territorial representation on the East African Industrial Council is maintained, industrial incentive may be stronger in Kenya where the major part

of secondary industry is already located, and where Europeans are more numerous and where their influence is greater and the industrial development has been stronger and more rapid." [112]

Even though the Administering Authority explained that Tanganyika has a veto (since under its laws a majority of the members of the Council appointed from each of the territories must agree to each grant of a license),[113] the Trusteeship Council continues to press for particular care in the issuance of licenses.[114] The Trusteeship Council is watchful lest the issuance of licenses by an inter-territorial body prejudice the economic development of the Trust Territory and thereby slow down that territory's separate progress toward self-government or independence.

The other main United Nations concern on the question of federation in East Africa was popular self-determination. This regard for public opinion is in large part a consequence of the Trusteeship Council's direct contact with Tanganyika through the media of visiting missions. These missions have brought back from East Africa vivid impressions of African and Indian fears of the High Commission, Kenya domination, and Tanganyika's future status.[115] While the Trusteeship Council avoided any direct or final evaluation of the force or validity of these fears, it did step into the controversy to the extent of recommending that the Administering Authority take into account the "freely expressed wishes" of the inhabitants of the Trust Territory before establishing an inter-territorial organization or extending its scope.[116]

The problem of consultation with the Tanganyika public became acute when the question of the continuance of the East Africa Central Legislative Assembly arose in 1951. It will be remembered that the two African members of the Tanganyika Legislative Council pointedly abstained from either approving or disapproving the original establishment of the Assembly. Since that time, the United Kingdom Government assured the Trusteeship Council that when the continuance of the Assembly came up for review it intended to consult with the indigenous population of Tanganyika. However, because the United Kingdom Government did not consider it possible to base this decision upon the express consent of the African inhabitants of the territory, "of whom the overwhelming majority are as yet incapable of forming any informed opinion on the questions in issue," [117] it was virtually compelled by the process of elimination to place the fate of the Assembly in the hands of the African members of the Tanganyika Legislative Council in order to carry out its assurances of local consultation. These members did not disappoint the United Kingdom, for they voted unanimously to continue the existing inter-territorial

arrangements. The Trusteeship Council noted their decision, although it took the occasion to express a hope that "a more explicit procedure for ascertaining public opinion and for the appropriate weighing of the opinion of the various sections of the population. . ." [118] would be employed by the Administering Authority before revising the provisions relating to the composition and functions of the East Africa Central Legislative Assembly.

The future of Britain's territories in East Africa is uncertain today. Federation is out of the question until sought by the people in each territory, and there is little likelihood of this as long as territorial and racial fears persist. Yet the three territories can hardly afford to pursue an isolationist course in an area of underdeveloped and overlapping economies. Hence the Legislative Councils in the three territories have gone part way toward meeting their needs by voting to continue the operations of the East Africa High Commission, a body limited in its functions and dependent on the territories for its existence and its revenues. How long, the observer might ask, can such a "half-way house" satisfy the common needs of the area? Is it just a stage on the way to a more complete economic and political union? These are some of the unknowns in the present equation.

Two factors must be taken into account before making any judgment based on past attitudes alone. First, an East African consciousness is growing. More and more people are coming to recognize that the future of these three territories, "whatever form that future may take, will be a single one." [119] Uganda, for one, might prefer to pursue a course of complete economic and political independence, but the cost of such a course would be prohibitive. The Protectorate depends on the High Commission for vital services which it could not otherwise afford. It ships its produce on an inter-territorial railroad and provides Kenya with substantial quantities of the power generated at Owen Falls. These connections cannot be wholly severed—and Uganda politicians know this. They may call for self-government with every hope of success, but they dare not insist that this self-rule be granted in a manner which would exclude them from their present complementary relationship with Kenya and, to a lesser extent, Tanganyika.

The second factor, which seems to be easily lost sight of, is a growing sense of African unity. Africans in all three territories are becoming more conscious of each others problems. Moreover, they are beginning to see their fate as one which they share in common. In time, such an attitude could place the federation issue in an entirely new perspective. For as the Africans of each territory participate more

and more fully in the political life of Kenya, Uganda, and Tanganyika, the barriers of suspicion which now keep the territories apart might disappear. Possibly African political advance has within it the seeds of an inter-territorial outlook of large dimensions. In such a case, Africans might welcome federation with greater enthusiasm than at present. That this course of events is not far-fetched is indicated by the conclusion of one researcher. He writes that "A move to make Kampala the capital of East Africa might provide the emotional confidence required to overcome African fears of white settler domination." [120] Moreover, at a Pan-African Conference held at Mwanza, Tanganyika in September, 1958, delegates from Kenya, Uganda, Tanganyika, Zanzibar, and Nyasaland established a joint organization to press for their freedom and self-government.

It is possible, then, that East African federation is closer at hand than is presently realized. The experience of working together on the East Africa High Commission, coupled with a gradual disappearance of territorial and racial fears, could bring such a federation to pass, despite the tensions which seem so prevalent today.

PART THREE: THE FEDERATION OF RHODESIA AND NYASALAND

CHAPTER V

THE EVOLUTION OF A NEW STATE

> "The main object [in framing the federal Constitution] has been to make the Constitution flexible and capable of change in accordance with changing circumstances and to reduce litigation between the whole and the components to a minimum. It is also necessary to bear in mind that countries are like human beings, they grow and develop. They do not start off at an adult stage. In attempting to create a new country it is unreasonable to expect that we could star off as a fully-fledged Dominion."—Sir Godfrey Huggins (Lord Malvern)[1]

The federal form offered Central Africa a compromise solution to a problem of diverse facets. Other forms were considered and rejected. Inter-territorial cooperation, while laudable as a temporary expedient, was an insufficient means of permanent organization, planning, and direction. Amalgamation of the territories of Southern Rhodesia, Northern Rhodesia and Nyasaland into one unitary state could not have been implemented without bringing in its wake a diminution of local African privileges and obligations. African affairs would then have been administered by a central agency—a scheme which might have sacrificed future African participation in the development of the territories for the short-run benefits of efficiency. Furthermore, African opposition in the northern territories, stirred to a high pitch during the wrangles over federation, might conceivably have been organized into a more violent form of resistance had its affairs been transferred to a less progressive-minded government dominated by white Southern Rhodesians. In short, inter-territorial cooperation was too ineffectual and amalgamation was too rigid. Yet, closer association between the territories was made imperative by the needs of economic development and stability, political advancement, administrative efficiency, and an integrated defense system. The means most suited to harmonizing these varied objectives was a federal system. Through successive conferences and discussions a new constitution was forged, one which attempted to offer maximum safeguards to the Africans

while maintaining the economic, political, and strategic purposes of unification.

To gain a fuller understanding of the struggle over federation (Chapters VI and VII), it is necessary first to trace the evolution of the federation process from its inception, as early as 1915, through the constitutional agreements of 1952-1953.

The Federation of Rhodesia and Nyasaland lies in southeast Central Africa. It is completely landlocked. On the northeast the Federation is bordered by the British Trust Territory of Tanganyika; on the east by Portuguese East Africa; on the south by the Union of South Africa; on the west by the Bechuanaland Protectorate (under Great Britain) and Portuguese West Africa; and on the northwest by the Belgian Congo. The approximate size of the new state is more than 485,000 square miles, or larger than the combined area of Texas, California, and New York.[2]

Despite an unusually rapid increase in population, the Federation may still be classed as an area of relatively sparse population. Estimates in 1938 put the African total for all three territories at 4,330,000 and the European total for the same area at 76,000.[3] More recent government estimates place the respective totals at 6,710,000 Africans and 215,000 Europeans.[4] It is anticipated that these figures will double within twenty-five to thirty years; however, the present population ratio of 31:1 is likely to decline if European immigration continues at its present rate.[5]

The Federation brings together three territories at various stages of advancement and status. Southern Rhodesia was granted self-government on September 12, 1923. During the following year, Great Britain assumed direct control from the Chartered Company over the Protectorate of Northern Rhodesia. The continuance of this protectorate status in Northern Rhodesia and in Nyasaland (assumed in May, 1891) was a disputed point in the negotiations for federation. It was decided at an early stage in the discussions to form a federation consisting of regions which had arrived at unequal levels of internal responsibility. This decision does violence to an alleged tenet of federalism which maintains that constituent units must be equal as to legal status.[6] The success of the federal experiment in Central Africa up to this date confirms once again the resiliency of the federal form and its ability to accommodate novel conditions.

At present the Federation cannot be considered as a full member of the Commonwealth of Nations. While its status is in some ways similar to that of a member of the Commonwealth, two primary factors thwart the new state's claim to equal association. First, two of the constituent units retain protectorate status and are thereby subject to

the ultimate authority of Parliament in London. Second, the Government of the United Kingdom retains a general responsibility over external affairs[7] and a final check, through the African Affairs Board, over any law which is deemed a "differentiating measure."[8] It should be noted that the Federation makes use of the Commonwealth Relations Office, rather than the Colonial Office, on matters of a general nature; however, Northern Rhodesia and Nyasaland continue to be administered through the Colonial Office when matters outside of federal jurisdiction are involved. This creates an element of uncertainty as to the Federation's legal status.

Because the Federation's status was so ambiguous, its leaders strove to secure from Britain a clarification of position as well as powers that were less restricted. Lord Malvern revealed to the Federal Assembly on August 2, 1956, that he had raised the question of the Federation's status anew while in London for the Commonwealth Conference of that year. He requested that "technical independence" be conferred. This would have made the federal government supreme in its own sphere, while leaving the northern territories, in regard to the reserved powers, under the jurisdiction of the Colonial Office. "It will be seen," he declared, "that my object was merely to improve our international status *vis-à-vis* other countries outside the Federation. This would have enabled us to talk to other countries as a separate State and not as someone else's child."[9]

Nothing came of Lord Malvern's plea for "technical independence." However, his successor as Prime Minister, Sir Roy Welensky, tackled the problem of the Federation's status soon after taking office. In April, 1957, Sir Roy and his Minister of Law, Julian Greenfield, journeyed to London where they conferred with Lord Home and Mr. Lennox-Boyd, the Secretaries of State for Commonwealth Relations and the Colonies, respectively. Upon the conclusion of this conference, the two Governments issued a Joint Declaration agreeing to convene a conference in 1960, the earliest date possible according to the provisions of Article 99 of the federal Constitution, in order "to review the Constitution in the light of the experience gained since the inception of federation and in addition to agree on the constitutional advances which may be made. In this latter context," the Joint Declaration concluded, "the conference will consider a programme for the attainment of such a status as would enable the Federation to become eligible for full membership of the Commonwealth."[10] In obtaining this agreement, Sir Roy went a long way toward fulfilling his ambition of presiding over a new Dominion in Central Africa.[11]

As early as 1915 the British South Africa Company took under ad-

visement the entire problem of uniting the Rhodesias under one administrative apparatus. The directors of the Company were prominent among those supporting such a move. They pointed to the increased economies which would accrue from enlarging the scope of administration, and, in addition, they foresaw an advance in Northern Rhodesia's status through its association with its more powerful neighbor to the south. The proposal was debated in the Legislative Council of Southern Rhodesia at its 1916 sessions. While a majority of Southern Rhodesian legislators approved the motion for amalgamation with Northern Rhodesia, the idea was dropped upon its rejection by a large proportion of the elected representatives of the local community. For the most part these Southern Rhodesian opponents of amalgamation feared that union with the less-advanced north would delay their own achievement of self-government.[12] They had no strong desire to merge either northward or southward and preferred to live alone, at least until Northern Rhodesia advanced to the stage where a merger would not entail any sacrifice of their own status. Their decision taken, unification northward was stymied for more than three decades.

A southward merger, to link up with the Union of South Africa as a fifth province, received its greatest impetus just prior to the grant of self-government to Southern Rhodesia. As the Chartered Company neared termination in 1922, the Buxton Committee, which was appointed to advise on future alternatives for the colony, recommended that the British community of Southern Rhodesia should decide for itself whether to remain within the Empire as a self-governing unit or become a part of the Union of South Africa. The Union clearly sought to include Southern Rhodesia within its realm. Prime Minister Smuts went on a tour of Southern Rhodesia in an effort to gain support for unification. He offered the Rhodesian electorate four seats in the Senate and twenty seats in the Assembly, the authority to establish a provincial council to deal with local matters, a development fund of £500,000 and a grant of £50,000 annually for ten years.

While Smuts' offer was well received, the Boer attitude toward Britain during World War I[13] turned a great many Rhodesian voters against a link-up with the Union. Final tabulations showed 8,774 votes for responsible government and 5,989 votes for amalgamation with South Africa. "British loyalty to British ideals"[14] unquestionably tipped the balance in favor of self-government within the Empire. Nevertheless, South African influence—in economic and Native affairs—remained a potent factor in Rhodesian life, and the continued possibility of a merger southward was a cause for restlessness until 1953, when Southern Rhodesia ended its isolation by federating with Northern Rhodesia and Nyasaland.[15]

The grant of self-government in 1923 pacified Southern Rhodesians temporarily. The settlers turned their backs on the various unification movements and busied themselves with local problems. This is not to say that thoughts of a larger territory vanished,[16] but that the settlers became preoccupied with consolidating their economic position for the time being and left thoughts of territorial expansion to wait upon more propitious circumstances.

Active discussion on the possibility of union was stimulated by the publication of the Report of the Hilton Young Commission in 1929. A majority of the Commission recommended that the High Commissioner or Governor-General of the northern territories should be the Secretary of State's chief adviser on important matters affecting Northern Rhodesia and Nyasaland.[17] The Commission only came to this conclusion after rejecting a number of other alternatives—including federation and amalgamation with Southern Rhodesia. Federation with Southern Rhodesia was ruled out quickly because it "affords no solution of the problems of the non-self-governing Dependencies in the Northern group" and because a self-governing colony would naturally aspire to be the predominant partner in a union with two protectorates.[18] And amalgamation was ruled out as premature because of public opposition in Nyasaland and parts of Northern Rhodesia, the inadvisability of committing the two northern territories to a union with Southern Rhodesia rather than with the other British territories of East Africa, and the heavy burden which would be placed on Southern Rhodesia.[19] The Government of Southern Rhodesia opposed the Commission's recommendations in this regard and little more was heard of the matter as the Joint Committee of Parliament focused most of its attention upon East African problems.

In a more roundabout fashion, the European community of the Rhodesias took up the question of amalgamation for itself. It was alarmed after the publication in 1930 of Lord Passfield's Memorandum outlining his general policy toward the treatment of African subjects in Eastern Africa (which included Nyasaland and Northern Rhodesia for the purposes of the Memorandum). In particular, the settlers objected to references on the "paramountcy" of Native interests. To the settlers this was an indication of greater Colonial Office "interference" in times to come and they looked around for means to escape this intrusion. Naturally, since the Europeans in the northern territories were most immediately affected by the Memorandum, they took the initiative in proposing changes. Thus the elected members of the Legislative Council of Northern Rhodesia suggested that they amalgamate with their self-governing neighbor to the south and thereby circumvent any future control from London.

The Government of Southern Rhodesia quickly seized upon this new opportunity. It requested that the United Kingdom Government call a conference to consider the possibility of amalgamating it with Northern Rhodesia. This suggestion was refused in Great Britain. It was announced in the House of Commons by the Secretary of State for Dominion Affairs that no final opinion could now be formed on the advisability of amalgamation. The Government considered that "a substantially greater advance should be made in the development of Northern Rhodesia" before they could agree upon such a step. However, His Majesty's Government did not reject "the idea of amalgamation in principle should circumstances in their opinion justify it at a later date." [20]

In the wake of the Secretary's decision to delay amalgamation until Northern Rhodesia achieved a greater degree of parity with Southern Rhodesia, there came a new wave of support for union. A Governors' Conference was inaugurated in 1935 in order to achieve greater administrative coordination. The first Governors' Conference generated sufficient interest in coordination to rouse the movement for unification out of its apathy. After the election of 1935 in Northern Rhodesia, a motion was entered in the Legislative Council in support of a union of the Rhodesias. This motion was defeated by the official majority; yet it presaged a more intensive effort on the part of the colonists. All the elected members of the Northern Rhodesia Legislative Council met in January, 1936, at Victoria Falls, with representatives of the three political parties of the Southern Rhodesian Legislative Assembly. These delegates adopted a resolution which declared that, "the early amalgamation of Northern and Southern Rhodesia under a Constitution conferring the right of complete self-government is in the interests of all the inhabitants of both Colonies." [21]

Following the conclusion of the Victoria Falls Conference, the Legislative Assembly of Southern Rhodesia passed a motion, with four dissenters, to the effect that the United Kingdom Government should convene a conference to discuss the question of amalgamation. Again, as in 1931, the Secretary of State for Dominion Affairs rejected a proposal for the unification of the three territories; he did this without canceling out the prospect of amalgamation at some future date. However, the Secretary did make one important departure from the previous dispatch. He offered to meet with the Prime Minister of Southern Rhodesia to discuss the problem during the forthcoming year, when the latter was expected in London for the Coronation. When the meeting took place, representatives from Northern Rhodesia and Nyasaland joined in the discussions. As a consequence of

their talks a Royal Commission was appointed to inquire into the desirability and feasibility of closer cooperation or association between the three British colonies in Central Africa.[22]

This Bledisloe Commission embarked from Southampton on April 29, 1938, to spend four months in Central Africa. During that period, the Commissioners interviewed a broad section of the European and African communities in all three territories. Their Report, as presented to Parliament in March, 1939, is a thorough account of conflicting interests, aspirations, fears, and values.

Because of common economic, social, and political problems, the Commission did not hesitate to remark upon the necessity for closer cooperation between the territories. An inter-territorial council was recommended in order to coordinate the existing governmental services of the three territories and to plan for the future economic development of the whole area. More drastic measures were held to be inopportune. Federation, in principle, was discounted because of the wide disparity of constitutional advancement between the territories. Instead amalgamation was accepted as the ultimate objective. From its implementation would follow distinct advantages of administrative efficiency and area-wide planning and development.

Nevertheless, the Commission did not advocate the adoption of a plan for a unified Central Africa at that time. The main reasons offered against amalgamation were:[23] (1) The Native policy of the Government of Southern Rhodesia showed marked differences from that in the northern territories. The application of the Industrial Conciliation Act, virtually excluding Africans from skilled employment in certain vocations, displayed a "restrictive tendency" not so manifest in the north. (2) The European population of all three territories[24] should be more adequately prepared (both in numbers and in experience) to govern a combined expanse of nearly 500,000 miles and a Native population of approximately 4,000,000 persons. (3) Neither the European nor the African communities had a sufficient appreciation of "the full implications" of amalgamation. And (4) African opposition in Northern Rhodesia and Nyasaland displayed a "striking unanimity." The African community seemed to the Commission to prefer to continue under the protection of the Colonial Office rather than be transferred to the authority of a parliament in Southern Rhodesia. The Commission attributed this attitude to a fear of a more restrictive Native policy and concluded, therefore, that, "If so large a proportion of the population of the combined Territory were brought unwillingly under a unified Government, it would prejudice the prospect of cooperation in ordered development under such a Government."[25]

Despite the Bledisloe Commission recommendation of an inter-territorial council, it was not until the end of the war that the British Government acted to put it into effect. Then, in October 1944, the Secretary of State for the Colonies announced the Government's decision to establish a permanent Central African Council to coordinate policy and action between the three Governments in Central Africa. The new Council would be consultative in character and would concern itself with such varied matters as economic relations, research, education, health, communications, and currency. The membership of the Council would consist of the Governor of Southern Rhodesia (as Chairman) and four members from each of the three territories, including the Prime Minister and ministers from Southern Rhodesia and the Governors, Chief Secretaries and unofficial members of the Legislative Councils of Northern Rhodesia and Nyasaland. Until it was disbanded, the Council met every six months—the first meeting being held in April, 1945.[26]

The establishment of a Central African Council did not quell hopes for a union of the three territories. Mr. (now Sir) Roy Welensky, leading unofficial member in the Northern Rhodesian Legislative Council and Prime Minister Huggins of Southern Rhodesia continued to advocate a policy of amalgamation. During Welensky's trip to London in 1946, he discussed this question of amalgamation with George Hall, the Secretary of State for the Colonies, and with A. Creech Jones, the Under-Secretary of State for the Colonies. Welensky met with little success.[27] On a subsequent occasion, he conversed with Colonel Oliver Stanley, the Opposition leader on colonial matters. The latter candidly advised him that the Conservative party could not lend support to a program of outright amalgamation in the Rhodesias.[28]

On yet another occasion, while in London in 1948, Mr. Welensky crossed paths with the Prime Minister of Southern Rhodesia. He suggested to Sir Godfrey Huggins the possibility of a conference between representatives of the Central African territories. His idea was favorably received and a Conference was later held at Victoria Falls under the chairmanship of Sir Miles Thomas. The Conference itself was restricted by the lack of official representation—the only official representatives present being the Southern Rhodesian delegation. However, unofficial representatives acted for Northern Rhodesia and Nyasaland. In Welensky's frank words, the Conference "achieved very little," although the delegates did display an interest in federation.[29] Because no Africans attended the Conference, Welensky appointed Sir Stewart Gore Browne to represent the African population and to report back to them.

On January 25, 1950, the Government of Southern Rhodesia informed the Governments of the northern territories that it would terminate membership on the Central African Council after twelve months had elapsed. A "Rhodesia-Nyasaland Inter-Territorial Secretariat" was recommended to encourage continued cooperation between the territories. Clearly, the trend seemed to be moving toward the fragmentation of British Africa. Mr. Creech Jones described the new machinery as "a reversion to no better kind of arrangement than that which existed before the Central African Council was set up." [30] This was particularly discouraging in light of the success of the Council. It had arranged agreements between the three territories on air services, fuel supplies, town planning, and the recruitment and protection of migrant labor.

Southern Rhodesia's change of attitude might be explained by several hypotheses. First, it was held that the very accomplishments of the Council made Southern Rhodesians uneasy. "It was my view," declared James Griffiths, "that much more could have been done to make the Central African Council a more effective machinery by which this cooperation might be ensured. . . ." [31] Creech Jones stated: "Obviously the competence and success of such a Council were obstacles to the realization of any political arrangement designed to satisfy Southern Rhodesian aspirations for a wider territory of greater economic and labour resources which might give her additional strength and bargaining power in the world. . . ." [32]

The second line of argument claimed that the Council was a useless anachronism. The sooner it was discarded, the better. Roy Welensky, hardly one to mince words, took just such a stand in a speech before the Legislative Council: "Now, Mr. Speaker, I was against—let me be quite frank about it—I was against the setting up of the Central African Council. I believed then, as now, that nothing short of some form of executive machinery would deal with the difficulties that faced Central Africa. . . ." [33] The European leaders in Central Africa set little store by the inept mechanism of a voluntary, consultative body. They sought long-range objectives and were dissatisfied with institutions strictly limited in scope. When one takes into account the enormous tasks facing the residents of Central Africa, it is not hard to sympathize with their conclusions. Inter-territorial coordinating bodies have rarely demonstrated a capacity for dealing with problems of such complexity and magnitude.

A quickening of interest in joining the territories paralleled the decline of enthusiasm for the Central African Council. Upon the invitation of James Griffiths, the Secretary of State for the Colonies in the Labor Government, a Conference of Officials was called to examine

the question of closer association. From the outset, it was emphasized that the work of the Conference was "purely exploratory." None of the participating governments were committed in advance to the conclusions reached at this Conference.[34]

The Conference agreed unanimously on the urgent need for a closer association of territories in Central Africa. However, they struggled to agree upon the means best suited for implementing this objective. One alternative, a league-type solution, was rejected primarily for reasons of impracticality. A second alternative, that of amalgamating the three territories into one unitary state, found more zealous partisans. These partisans applauded its simplicity and efficiency. Nevertheless, despite its intrinsic merits, amalgamation was not accepted by the Conference. It had "so little chance of general acceptance that if only for that reason we cannot recommend it." [35]

On the other hand, the acceptance by the Conference of a third alternative—a federal system—was a decisive step in light of later events. A compromise along federal lines offered a means by which Native affairs might be localized and by which the protectorate status of the northern territories might be preserved alongside a self-governing Southern Rhodesia. This is not to imply that the federal solution received the wholehearted approval of the settler community. It did not. The white community, including such responsible leaders as Sir Godfrey Huggins and R. S. Garfield Todd, continued to give steady support to the principle of amalgamation.[36] Nevertheless, when it became evident to all that the British Parliament would not approve of a system any more rigid than the federal form, a majority of these leaders swung behind federation as a second-best course. Many of them became federation's staunchest advocates, especially during the campaign to ratify the scheme. They looked on federation as an indication of progress and, in time, came to see it in numerous instances as a first-class solution to their multifarious problems.[37]

In September, 1951, the four governments were represented at another Victoria Falls Conference. The United Kingdom delegation was headed by the Secretaries of State for Commonwealth Relations and for the Colonies (P. C. Gordon-Walker and Griffiths). Southern Rhodesia's delegation included the Prime Minister, Ministers and leaders of the Opposition parties in the Legislative Assembly. Northern Rhodesia was represented by the Governor and leading official and unofficial members of the Legislative Council. Lastly, the Nyasaland delegation included the Governor and selected official and unofficial persons.

Africans were included on the Northern Rhodesian and Nyasaland delegations. From the outset their presence was a source of contro-

versy. At a later date, Griffiths advised Parliament that these African delegates required the assurance that their participation in the Conference could not be construed as an endorsement of the principle of federation. He also recalled that the European representatives resented their attendance. At the second session it was requested that Africans be barred from the subsequent meetings. Griffiths rejoined that "If they leave, I leave, too." [38]

Such glimpses of the inner tensions enlivening the atmosphere at Victoria Falls are important, for they give background to the bold words proclaimed at the Conference's conclusion. For example, there was general agreement "that economic and political partnership between Europeans and Africans is the only policy under which federation could be brought about in the conditions of Central Africa, and it was recognized that any scheme of closer association would have to give full effect to that principle." [39] These words exude hope. Yet, wherever their meaning was abandoned in everyday life, these words, such as "partnership," were interpreted with suspicion by a wary African community.

African opposition was recognized on an official level at the Victoria Falls Conference. The final communique took special pains to allay African fears and suspicions. The Conference agreed *inter alia* that: (a) the protectorate status of the northern territories would be preserved (thereby excluding amalgamation unless a majority in all three territories desired it); and (b) political advancement and land questions in the northern territories would remain a territorial responsibility, subject to the ultimate authority of the Government of the United Kingdom.[40] These assurances were not sufficient to still African objections. In a petition to the Queen, signed in London, eight African Nyasalanders assailed the Victoria Falls Conference with typical bitterness: "It is our firm belief that the Europeans who took part in that Conference were inspired by the desire to entrench European political dominance in the constitutions of the three territories before African political opinion became strong enough to defeat that purpose, and to weaken the influence of the Colonial Office in the administration of the two northern territories, so that the new Federal Government would ultimately be able to impose on the African people in those territories whatever Native policy it thought fit to impose." [41]

Following the Conservative victory in the general election of 1951, the new Colonial Secretary, Oliver Lyttelton, made a statement in Parliament endorsing the conclusions of the Victoria Falls Conference. Her Majesty's Government took note of the evidences of African opposition to the scheme but remained convinced that an urgent need existed for closer association of the three territories in Central Af-

rica.[42] Federation, he told a press conference following this statement, was "a great issue of imperial policy." African opinion might well come to see the advantages of federation "when given a lead by the British Government." [43]

In January, 1952, Mr. Lyttelton held talks with the Prime Minister of Southern Rhodesia and the Governors of Northern Rhodesia and Nyasaland. The British Government reaffirmed its intention to maintain the identity of all three territories. While it was specified that a federal system satisfied this requirement, it was equally clear that amalgamation was excluded as a possible basis for future discussion.[44]

The talks between the Colonial Secretary and the various heads of government in Central Africa set the basis for a new conference on federation held in London during April and May, 1952. The Conference met at Lancaster House under the joint chairmanship of Oliver Lyttelton and the Marquess of Salisbury, the Secretary of State for Commonwealth Relations. The Southern Rhodesian delegation, European and African, was led by Prime Minister Huggins, and the Northern Rhodesian and Nyasaland delegations by their respective Governors, Sir Gilbert Rennie and Sir Geoffrey Colby.

Lyttelton invited the African Representative Council of Northern Rhodesia and the African Protectorate Council of Nyasaland to send delegates to the Conference. An African delegation did travel to London in response to this invitation, and informal talks were held with the Colonial Secretary. Despite their proximity to the forthcoming Conference, these African representatives declined the Colonial Secretary's bid to attend the Conference either as participants or observers. They were assured that attendance would not be taken as a sign of favoring the federal scheme.[45] Their reasons for refusing to attend the meetings were explained to Parliament by Griffiths: (a) because they did not wish to imply acceptance of federation, and (b) because they feared that Her Majesty's Government would enforce federation notwithstanding their opposition.[46] Regardless of reasons, African unwillingness to participate at the Conference suggested a loss of faith in London's good will. Lyttelton cleverly parried such a conclusion during a debate in the House of Commons: "For example, if the Africans now say that no safeguards given by Her Majesty's Government would satisfy them, they appear to me to be advancing into an untenable position—to be putting forward an untenable argument. If there was any validity in it, they must see no inconsistency between their faith in the protection and word of Her Majesty's Government under the present regime and their utter disbelief in it under federation." [47]

The final decisions of the Lancaster House Conference were in-

corporated into the Draft Federal Scheme. This Scheme shaped the skeleton form on which the Federation of Rhodesia and Nyasaland was to be molded. It provided for coordinate territorial and federal governments. This was accomplished with the establishment of three categories of powers: a federal legislative list, a concurrent list, and a reserve category for territorial matters. Each government was to be limited in scope and each was to act (through its own legislature, executive, judiciary, and public service), in specified matters, exclusively of the other's legal control. In case of conflict between a federal and a territorial law, where the subject matter fell within the concurrent list of powers, federal law would, to the extent of the inconsistency, prevail.[48]

During its proceedings the Conference was forced to face the difficult task of providing for a legislature which would please both sides of a plural society. Sheer weight of numbers would throw the preponderance of representation into the hands of African leaders; wealth, education and familiarity with the processes of parliamentary procedure and administration would set the balance heavily in favor of the European community. The extremes of the situation necessitated a compromise, one which left the Africans dissatisfied[49] and the Europeans restive.

The Conference proposed a unicameral legislature. Southern Rhodesia received seventeen seats, Northern Rhodesia eleven, and Nyasaland seven. Twenty-six of the thirty-five members were to be elected by the registered voters of the territories. Two members were appointed by the Governors of Northern Rhodesia and Nyasaland to represent African interests. And seven seats were reserved for "Elected Members for African Interests." The three members for African interests from Southern Rhodesia, two Africans and one European, were to be elected in accordance with regulations set by the Governor. The two members for African interests from Northern Rhodesia and the two from Nyasaland were to be elected by such bodies as the Governor in each territory would designate as representative of Africans.[50]

A system of cabinet government was merely outlined in the White Paper, for the framers relied upon the growth of customs to complete the structure set down in print. It was stated that an Executive Council (the Prime Minister and Ministers) would advise the Governor-General in the Government of the Federation. Its authority would extend to all matters over which the Federal Assembly was empowered to make laws—that is, the federal legislative list and the concurrent list.

One other matter received serious attention at Lancaster House.

An African Affairs Board was proposed for the examination of all federal legislation; its purpose would be to detect "differentiating measures." [51] The Board would consist of six members and a chairman. Two members (an African and a European) would be selected by the Governor of each territory. The Chairman of the Board would be appointed by the Governor-General, with the approval of a Secretary of State.[52] This means of selecting a Chairman was a distinct modification of the previous Report of the Conference of Officials (Cmd. 8233). Under the latter Report the Chairman was to be the Minister for African Affairs; he was to be appointed *and* dismissed at the Governor-General's discretion.

The Draft Federal Scheme laid out in detail the procedure for the African Affairs Board. The Board is empowered to send a written "notice of objection" to the Prime Minister if it deems any bill or subordinate law to be a differentiating measure. The notice of objection is laid on the Assembly's table either at the time of the measure's introduction or "as soon as is practicable after it is received." [53] If the measure is passed by the Assembly, the notice of objection is laid before the Governor-General at the same time he receives the measure for assent. The Governor-General must, under ordinary circumstances, reserve the bill for the signification of Her Majesty's pleasure. He may, however, sign the bill on his own discretion, (a) if he does not consider it a differentiating measure,[54] or (b) if he considers it essential in the public interest. If the Governor-General adopts the latter course, he must send the Secretary of State the bill, the notice of objection, and a statement of his reasons for assenting. The Secretary of State may disapprove of the meausre any time within twelve months of receipt of the measure.

The final Conference on the Federal Scheme met in London in January, 1953. The senior delegates were the same as at the Lancaster House Conference, with the exception that Viscount Swinton (Secretary of State for Commonwealth Relations) replaced the Marquess of Salisbury as a joint chairman. Mr. Lyttelton invited African members of the Legislative Council of Northern Rhodesia and the African Protectorate Council of Nyasaland to attend the Conference. They declined the invitations.

The purpose of the Conference was threefold: first, to consider amendments; second, to reach agreement on a revised scheme which could be submitted to the United Kingdom Parliament, to the legislatures in Northern Rhodesia and Nyasaland, and to the electorate of Southern Rhodesia; and third, to examine the Draft Federal Scheme in the light of the Reports of the Judicial Commission (Cmd. 8671),

the Fiscal Commission (Cmd. 8672), and the Civil Service Preparatory Commission (Cmd. 8673).[55]

The composition of the legislature as drawn up in the Draft Federal Scheme was modified slightly. As finally adopted in the Constitution, twenty-six of the thirty-five members of the Federal Assembly were to be elected by the general electorate, six African members (two in each territory) were to be elected in accordance with regulations made by the various Governors, and three European members to represent African interests were to be selected by election in Southern Rhodesia and by appointment in the northern territories.[56]

It can also be noted at this point that in February, 1958, Royal Assent was given to the much disputed Federal Electoral Bill. This Bill increased the size of the Federal Assembly from thirty-five to fifty-nine members. Forty-four members of an unspecified race (twenty-four from Southern Rhodesia, fourteen from Northern Rhodesia, and six from Nyasaland) are to be elected on a general voters' roll, which will be open to all races on a basis of high income and education requirements. Fifteen other members (Africans or Europeans selected to represent Africans) are to be chosen by electoral colleges, appointment, or election based on a special voters' roll. This latter innovation includes all those on the general roll in addition to persons of all races who have reached a minimal level of income and education. The Africans considered this Bill to be a move in the wrong direction, because Europeans predominate in the high income and educational brackets, and they envisaged the Europeans determining the choice not only of the members not specified by race but of the Africans elected by the special roll as well.[57]

The final Conference also made certain crucial changes in the structure of the African Affairs Board which were incorporated into the final Constitution. The Board was made a Standing Committee of the Federal Assembly. Thus it was brought from a position equivalent to an independent commission to one within the framework of the legislature. Whereas a member of the Federal Assembly was ineligible for appointment to the old Board, under the Federal Scheme the chairman and the members are selected from among the representatives in the Federal Assembly. Furthermore, it is provided that: the Governor-General, acting in his discretion, is to select a Chairman from among the six members of the Board (still one African and one European from each territory); the Chairman is to retain a casting vote as under the previous scheme but is also provided an original vote; and in exercising his casting vote, the Chairman is to vote "in such a manner as to leave the Board another opportunity of deciding the same question."[58]

Numerous terminological changes and additions were also included in the final scheme in order to ease African anxieties. The federal government was to be prohibited from acquiring land for the purpose of settling immigrants.[59] It was also prohibited from denying employment to British subjects or protected persons domiciled in the Federation solely on the grounds of race.[60] Moreover, a conference for the purpose of reviewing the Constitution consisting of delegations from the Federation, the three territories, and the United Kingdom would be convened within seven to nine years after the coming into force of the Constitution.[61]

When these safeguards are combined with the continuance of protectorate status for Northern Rhodesia and Nyasaland, the exclusive powers of the territorial legislatures (in particular the one dealing with Native affairs), and the requirement that the legislative lists cannot be amended for ten years unless all territorial legislatures first consent to the bill's introduction into the Federal Assembly, then it can be said that a concerted attempt was made to secure existing African interests. It may be, as James Griffiths has asserted, that paper safeguards are deemed a "debased currency" in Africa,[62] but the intent of the framers seems incontestable.

As soon as the Federal Scheme was published, Southern Rhodesians began a debate on its merits. This referendum struggle, described more fully in a later chapter, engulfed the entire colony in controversy. Suffice it to note here that a number of settlers attacked sharply the inclusion of safeguards, the concept of federalism, association politically with black Nyasaland, and the future role of the Colonial Office in Central Africa's domestic affairs. Many white antagonists considered federation a surrender of powers long exercised by self-governing Southern Rhodesia; others remained deeply suspicious of future intrusions from the metropole. Throughout the struggle Sir Godfrey Huggins, Roy Welensky and R. S. Garfield Todd campaigned for and defended the scheme as the best compromise attainable under the circumstances. While they advocated still fewer restrictions, they all viewed the Constitution as an achievement in itself. In the end, their moderation was rewarded. Of approximately 40,299 votes cast in the referendum, 25,570 favored the Federal Scheme and 14,729 were opposed. A majority rejected federation in only four constituencies, and only two of these negative votes reached sizable dimensions.[63]

The Rhodesia and Nyasaland Federation Bill of 1953 was given its second reading in the House of Commons on May 6, 1953. This took place after the returns of the referendum were made known to all. Critics of the Bill, led by leaders of the Labor and Liberal parties,

made a last effort to advise reconsideration. Their appeal for caution went unheeded. Forces supporting the Government's position secured 247 votes; the Opposition polled 221 votes. From that point on events moved swiftly. The Bill was reported out of committee (the Whole House) without amendments on June 24, 1953. It passed its third reading, 188 votes to 165. In the House of Lords, the Bill was not subjected to division at its second and third reading. Finally, Royal Assent was conferred on July 14, 1953.

After both Houses assented to the draft Order in Council, that Order was made on August 1, 1953. Lord Llewellin was appointed Governor-General of the new Federation and assumed his office in Salisbury on September 4, 1953. An interim government was appointed until a federal election could provide the Federal Assembly with the number of elected members provided under the Constitution.

In the general election some 67,000 members of all races were eligible to vote. The overwhelming majority of these electors were Europeans, for in Southern Rhodesia, to single out the territory with the highest African participation numerically, there were 429 non-whites who possessed the necessary property qualification of the equivalent of $1,400 or an annual income equivalent to $700 and who also took part in the election.[64]

When the election was held, Sir Godfrey Huggins' Federal party won a sweeping victory. Twenty-four candidates put up by the Federal party secured seats in the Federal Assembly. The party's candidates gained 34,992 votes or a percentage of 67.2 of those casting ballots. The Opposition consisted of the Confederate party (composed mainly of those who feared the liberal effects of federation). Confederate candidates gathered a total of 15,263 votes—but only one seat. The remaining Opposition group campaigned as independents. These liberals, centering mainly around Lusaka, contested only a few seats as they were fearful of splitting the Federal party's vote. In all, five independent candidates entered their names where they obtained 1,848 votes and one seat in the legislature.[65]

Since its inception, the Federation of Rhodesia and Nyasaland has had to cope with internal dissensions (European and African) which threatened to disrupt it. One crisis came to a head on January 7, 1955, when the Federal party expelled G. F. Van Eeden, the member from Kafue in the Federal Assembly, because he continued to advocate the amalgamation of Southern Rhodesia with the south-central part of Northern Rhodesia. His desire to separate the more predominantly European from the so-called "black" areas of the Federation would necessarily mean a reduction in its scope. Under his plan, the

major sections of the protectorates would be returned to the supervision of the Colonial Office, thus leaving the more Europeanized areas free to follow any course they saw fit.[66] Leading members of the Federal party roundly denounced this proposal. Nevertheless, Van Eeden quickly rallied support to himself—if not to his cause—for he was reelected to the Federal Assembly from his constituency at a by-election.[67] By regaining his seat in the legislature, Van Eeden attracted support away from the old Confederate party. The Confederate party thereupon split into two new parties: the Commonwealth party headed by Van Eeden and the Dominion party consisting of remnants of the Confederate party who refused to follow Van Eeden.

While the Commonwealth party displayed little durability, the Dominion party, under the leadership of Winston Field, soon emerged as the main rival to Roy Welensky's United Federal party. The Dominion party's strength is concentrated mainly in Southern Rhodesia, where in the 1958 territorial election it polled a plurality of the total number of votes cast and only gained fewer seats than the United Federal party because of the newly instituted second preference system.[68] The Dominion party has continuously supported the principle of the Federation's territorial integrity,[69] although its recent party congress did concede that if a unilateral declaration of independence proves to be necessary in 1960, it will be willing to share control over Nyasaland and the Barotseland area of Northern Rhodesia with the British Government.

The Africans of Nyasaland—and to a lesser extent Northern Rhodesia—have posed what is undoubtedly the most serious threat to the integrity of the Federation by their talk of contracting out of the new state. During his recent tour of Central Africa, Philip Mason noted that Nyasaland Africans continue to be unanimous in their dislike of the Federation. "Some say that now it is a fact and they must make the best of it, but [he] found not one who thought it in itself a good thing." [70] Out of this type of resentment has come a demand on the part of some nationalists in Nyasaland to sever ties with the Rhodesias in order that their country can achieve self-government as an essentially African state[71] or in order that it can link up with the more predominantly African territory of Tanganyika.[72] One of the most determined of the Nyasaland leaders who advocate secession from the Federation is Wellington M. Chirwa, a member of the Federal Assembly. At a meeting of the Southern Province Provincial Council in January, 1957, he made his position on this matter clear. Mr. Chirwa said that, "This is a Protectorate and Britain is a foreign Power. Britain had no moral right to impose Federation against our wishes. You imposed it, knowing we had no military power as the

Southern Rhodesia Europeans had. . . . But we are a peaceful people and within constitutional means we shall get out of the Federation." [73]

On a visit to Central Africa in 1957 Mr. Lennox-Boyd, Secretary of State for the Colonies, showed in his speeches steadfast support of the Federation as constituted. While assuring the Africans of Nyasaland that Her Majesty's Government would not consent to a revision of the federal scheme so that amalgamation might be introduced by "back-stair methods";[74] he was adamant in insisting that federation was here to stay. His trip itself was intended as an indication of the British Government's undiminished support for federation.[75]

This opposition to both amalgamation and secession was restated officially in the Joint Declaration of the Governments of the United Kingdom and the Federation of Rhodesia and Nyasaland of April 27, 1957, which Lennox-Boyd negotiated with Sir Roy Welensky. Still, it seems unlikely that the question of Nyasaland's secession from the Federation can be disregarded in official circles for all time to come. The Labor party, in a *Statement on Central Africa,* has pledged that it will not concede Dominion status "until all the inhabitants of the Federation have expressed a desire for it, through the exercise of full and equal democratic rights." [76] To be sure, this is not a threat to "unscramble" the Federation if African support is not forthcoming by the 1960 conference, but such an outcome is always possible.

In conclusion, the technical work involved in drawing up this federal constitution seems admirable, given the difficult circumstances under which the framers labored. The debates and conferences which preceded the final draft improved the wording of the document, the structure of the new government, and the safeguards afforded the African population.

However, it must not be assumed that the Constitution, despite its careful construction, can be allowed to continue indefinitely in its present form. There is room for development and improvization. In the first place, the amending process is not sufficiently federal in design to protect all authorities within the state. This could have serious implications when the Federation attained Dominion status and the ties between the Colonial Office and the protectorates were severed. Amendments can become law under the present arrangement by a two-thirds majority in the federal legislature and the signification of Her Majesty's pleasure through a Secretary of State. No referendum is required and the territories need manifest no approval of the proposed amendment. If, however, "the Legislative House of any Territory by resolution objects to the Bill or to any provision thereof within sixty days after the Bill has been passed by the Federal As-

sembly,"[77] then the draft must be laid before each House of the Parliament of the United Kingdom. And if neither House has, within forty days, resolved that the bill should not be submitted to Her Majesty, it might then be submitted to Her Majesty in Council.

Such a procedure emphasizes passive acquiescence on the part of the territorial legislatures. This would hardly prove an adequate protection as soon as the Imperial safeguard is removed. As a natural consequence, African suspicions have been aroused. Gikonyo Kiano writes, for example, that "Unless acquiescence of the territorial governments is specifically made a prerequisite for constitutional amendment, and the consent of the United Kingdom Government changed into consent of the territorial authorities when United Kingdom withdraws her control by granting Northern Rhodesia and Nyasaland their self-government, the federation of Rhodesia and Nyasaland is likely to develop into a unitary state instead of a federal state."[78] When one takes into account the tendency of central governments to draw power into their orbit and when one understands the all-pervading nature of Native affairs, there are sound reasons for such fears. Nevertheless, an adjustment of the amending process to bring it in line with federal principles can be anticipated at the time that the Imperial Government relinquishes some of its powers.

Another factor, the establishment of a second chamber of the federal legislature, would further strengthen the position and authority of the territorial governments. The Constitution specifically empowers the federal legislature to constitute such a chamber and to prescribe its functions. Certainly this matter is bound to be on the agenda of the 1960 conference. An upper house, observed *Federalist No. 62,* "as a second branch of the legislative assembly, distinct from, and dividing the power with, a first, must be in all cases a salutary check on the government."[79] Such a chamber is a potential safeguard which can be used to defend not only territorial interests but group interests as well.[80] This type of safeguard seems almost implicit in federalism as a concept of areal and power division.

Lastly, the Constitution has no Bill of Rights. This omission has caused no end of comment but little has been done to fill the vacuum. However, there is one means by which basic rights can be guaranteed without resorting to the formality of a constitutional amendment. The preamble of the Constitution asserts that the Colony of Southern Rhodesia associated with the two northern territories in part to "foster partnership and co-operation between their inhabitants."[81] What is "partnership"? So far no official definition has been forthcoming. Must it be put into practice? Lord Malvern (Sir Godfrey Huggins) indicates that the preamble can be ignored as it was only inserted

into the Constitution in order to appease British opinion.[82] However, the Federal Supreme Court, which has "original jurisdiction to determine any question as to the interpretation of this Constitution," [83] cannot dismiss this question so lightly without doing damage to the very foundation of the Constitution. Partnership has become a legal as well as a moral obligation. Hence it must be implemented to the satisfaction of all communities or the Imperial Government may well be forced to delay the grant of Dominion status.

CHAPTER VI

A VENTURE OF FAITH

> "There is an exhilaration in living in Central Africa today .... There are sound and strong reasons for Federation, but it is also a venture of faith and this should challenge the Parliament of Southern Rhodesia to play its most important part to the best of its ability."
> —R. S. G. Todd.[1]

Federation is the outcome of both fears and other, non-security, factors as they operated primarily among the various communities in Central Africa. The purposes of its founders were as mixed as its racial composition. Diverse reasons motivated those who openly advocated or passively supported an experiment with the federal form. Conflicting interests must be scrutinized by every means available, and then it may be possible to advance a tentative explanation. This chapter, therefore, deals with some of the reasons, essentially of a non-security nature in their local interactions, advanced in favor of federating British Central Africa. In the following chapter, it will be possible to examine those bases for action which rested upon various community fears.

It was assumed rather commonly during the 1950-1953 discussions that territorial extensiveness smoothed the path to economic prosperity. Leading parliamentarians pointed to the United States, Australia, South Africa and Canada as examples of success, a success due in large part, they asserted, to a fortuitous combination of size and economic viability.[2] Conversely, Newfoundland, a failure until its reabsorption into the land mass of Canada, was cited as a warning to the apathetic. Failure to federate, they concluded, might be the cause of dire economic consequences in the future. British Central Africa was "small, thinly populated, industrially of small importance and of relatively insignificant importance in the world."[3] Federated, it might add a prosperous new unit to the Commonwealth. Taken in this light, the dream of a new Canada or Australia is not difficult to understand.

The economic advantages of federation were never far removed from any discussion of its merits. Federation's proponents expected it to

contribute to Central African development by attracting the wary investor, by taking advantage of complementary economies, and by enhancing the area's bargaining power with the outside world. Leaders in Central Africa warned that investors would steer clear of the area if they anticipated domestic instability or if they judged that the basis for development was insufficient. They reasoned that such anxieties might be relieved if a larger, unified area with a wider internal market offered a greater profit and development potential and if a high degree of security for investment was manifested. "The chances," said Sir Godfrey Huggins, "of a larger, more economically sound, politically stable country getting a substantial share of the limited capital available are very much greater than those of a small state with an economy based on one or two commodities and thus at the mercy of a slump in its principal products caused by external influences." [4]

The desire to take advantage of existing complementary economies is an aspect of the larger goal of diversification and development. These are some outstanding examples of economic interdependence: (1) the immense Wankie coalfield in Southern Rhodesia supplies vital fuel for the copperbelt of Northern Rhodesia; (2) the Zambezi River, on which hydroelectric power is being developed, is the former boundary between the two Rhodesias; (3) Africans from Nyasaland and Northern Rhodesia work on the farms and in the industries and mines of Southern Rhodesia; and (4) Northern Rhodesia is dependent upon the rail line running through Bulawayo and Salisbury to the port of Beira in Portuguese East Africa. With these factors in mind, the proponents of federation argued that unless permanent political fusion occurred, maximum advantage would not be taken of this intertwining of interest.

The ambition to gain a more potent bargaining position affected more than just economics. (Thus in the international sphere one member of the Southern Rhodesian legislature candidly pointed out that a federated state "will quite naturally have an increased bargaining power with the Union of South Africa." [5]) Nevertheless, statesmen in the Rhodesias were also keenly aware of the economic advantages of a stronger bargaining position from their relations with other states in the past. A case in point is the negotiations conducted in 1950 for the use of the Portuguese East African port of Beira. Although, at present, the landlocked Federation makes use of the South African ports and the port of Lobito on the Atlantic, the bulk of the Federation's traffic is shipped through Beira, Mozambique. Conditions were established on June 17, 1950, by an Anglo-Portuguese Convention, signed in Lisbon, which set out the rights and duties for Central African use of the port. Portugal undertook to provide ade-

quate facilities and, in turn, the British territories agreed to use the port of Beira and its railroad to full working capacity for a period of twenty years—on condition of satisfactory services maintained at charges which do not make their traffic unprofitable.[6] If it had been necessary for the three territories to bargain individually with Portuguese authorities, it seems unlikely that comparable terms could have been secured.

Another advantage of federation, unified planning, was implicit in some of the above points but received scanty attention from the proponents of federation. "Possibly the most telling point in favor of federation, and one that was surprisingly little used," observes Professor William A. Hance, "was that, under federation, the area would tend to be developed as a unit whereas, lacking cohesion, each country would tend to go its own way, often with unnecessarily competing activities."[7] Neither diversification nor stability could be achieved for each territory, acting independently, as quickly as would be possible under coordinated planning. The funds which can be provided under the Colonial Development and Welfare Act are limited. If these sums are to stimulate the greatest possible productive effort, then it would seem prudent to channel them toward economic and political units which, potentially, are the most viable. There seems little doubt that by federating the three British territories in Central Africa such an objective will be met.

Federation of the three territories provides an important economic cushion for an underdeveloped area struggling to assert greater industrial independence. Since its inception, economic progress in the Federation of Rhodesia and Nyasaland has surpassed most expectations. Its recent rate of growth, nine per cent a year after adjustment for price increases, is the fastest in all Africa. Its total value of exports has jumped from £64,000,000 in 1949 to £188,100,000 in 1956, and its imports have risen from £73,200,000 to £159,200,000 during these same periods. Gross domestic product, at market prices, has risen from about £175,000,000 in 1950 to £384,000,000 in 1956.[8] Furthermore, the central government's efforts to promote business activity have met with success. During the years 1950-55, 2,873 new companies with a total capital of £61,000,000 have registered in Southern Rhodesia alone.[9] Industry is responding to the opportunities for investment being offered in Central Africa, and the result has been heartening to the proponents of federation.

But how much of this economic development is properly credited to federation? It would seem impossible to answer this question with any degree of accuracy. However, the delegation from the United

Kingdom Branch of the Commonwealth Parliamentary Association, which visited Central Africa in August and September of 1957, addressed itself to this knotty problem in the following manner: "Some of the progress which has taken place would undoubtedly have happened whatever the form of the political structure, but we are nevertheless convinced that much of it can be directly attributed to the advantages of larger and complementary resources of the three Territories now joined together in Federation." [10] This could be seen particularly in regard to copper revenues. For as long as copper prices remained at a high point during the early days of federation, all the territories benefited in varying degrees. However, when prices for copper sagged several years later, the effects on the Northern Rhodesian economy were softened by the support Southern Rhodesia gave its associate. Clearly, a major aspect of an underdeveloped economy is its lack of balance and diversification,[11] and federalism cannot but ease the strain in the unbalanced economy of a territory such as Northern Rhodesia as it moves from protectorate to self-governing status.

Considerations of military strategy also attracted Central Africans to proposals for federation. "The techniques of combat," observes Raymond Aron, "determine at every period in history the dimensions of the political units." His estimates place the cost of combat beyond the capacities of a nation of forty million.[12] To be sure, federation or no federation, Central Africa cannot now meet the needs of a sustained modern war. The area is thinly populated and its people do not possess sufficient technical proficiency to meet the test of combat with a first-rate power. However, the Federation of Rhodesia and Nyasaland must prepare (a) for possible internal dissensions, (b) for possible attack from the outside, and (c) for a military contribution to the cause of the free world. The non-Communist world cannot cope with its extended military obligations by relying on the efforts of a few great powers. Its strength must lie in the combined contributions of all the nations which operate within its orbit.

In Southern Rhodesia no leader was more aware of the strategic vulnerability of a divided Central Africa than Sir Godfrey Huggins. "In the sphere of defense," he warned the legislature, "it is almost impossible for a small country, however brave its people, to defend itself. Modern war requires expensive weapons, a highly trained industrial population, a considerable degree of industrialization to build the complicated equipment required. . . . Only a comparatively large country with a sound economy, in a reasonable state of development, can hope to be able to defend itself. And the ability to defend oneself

is the first requisite for any nation which claims to call itself a Dominion." [13]

A federal army will not only avoid waste and duplication;[14] its very existence may curb revolution and attack. As such, it acts as a steadying force on a continent already consumed with unrest. Violence continues to erupt sporadically throughout the continent. Perhaps the presence of an alert, highly trained, and modernly equipped military force in Central Africa will act to deter outbreaks of violence on the domestic scene or premature and opportunistic acts of aggression aimed at the Federation.

The proponents of federation felt that the merging of parallel administrations would lead to a more thrifty management of territorial affairs. Since the budgets of all three territories are strictly circumscribed, it became mandatory to explore new avenues of executive control. A federal administration, with powers restricted by the exclusive and concurrent lists, was seized upon as a long-range solution for excessive waste and duplication.

In many fields it is expected that a single national executive will reduce the unnecessary overlap of triple agencies. Where previously three territorial customs departments, roads departments, commissioners in foreign lands, telephone systems, archives, banking systems, research programs, national parks systems, census bureaus, and other separate government activities existed, provision can now be made for a unified and uniform service—with allowances made for local conditions. Since many of the problems faced by each agency are similar from territory to territory, federation is likely to result in a closer liaison and coordination of activities. Furthermore, a cost reduction can be anticipated where a central purchasing department can buy equipment in bulk. Equipment would be standardized, which would simplify the maintenance and replacement and thus reduce overhead.

In no area are economies expected to be more noticeable than in the public service. The Civil Service Preparatory Commission estimated that there should be savings of approximately £50,000 after a federal service is instituted,[15] The Commission freely admitted that there was a goodly amount of guesswork in this estimate. However, considering the nature of this public commission, it seems likely that the figure represented a conservative estimate.

The timeliness of the decision to federate was another important factor. The Conservative Government in Great Britain, upon assuming power following the General Election in 1951, gave its en-

thusiastic endorsement to plans for federating British Central Africa. "His Majesty's Government in the United Kingdom are convinced," declared the Colonial Secretary (Mr. Oliver Lyttelton), "of the urgent need to secure the closer association of the three Central African territories. . . ." [16] Why was federation an urgent matter in 1951? A part of the answer will be found in the following chapter where various fears (racial, national and economic) will be discussed. Part of the answer, nonetheless, can be traced to other causes.

Those who most ardently sought closer association also were anxious lest a propitious opportunity be lost. All the factors conducive to action were present. If they were allowed to glide by because of malice or want of interest, the possibility of associating the territories in a closer union might never again present itself. Fact or fancy, such thoughts goaded federation's proponents to more vigorous efforts. "Who knows," Sir Godfrey Huggins thoughtfully declared, "but that in a comparatively short space of time such developments [sentimental movements in the United Kingdom and various forms of nationalism in Africa] might prejudice for all time the chances of these three British territories in Central Africa combining to form a sea of sanity and become [*sic*] a model of what race relations should be in a continent which badly needs such a stabilizing influence?" [17]

The rapid growth of national consciousness and economic development in Central Africa meant that if new political lines were to be drawn it would be easier to draw them as soon as possible. Had the three territories hardened into independent states, the likelihood of later realignments would have been reduced. Throughout the tense debates over federation, the Africans of Northern Rhodesia rarely exhibited the open independence, unity or aggressiveness of the Baganda of Uganda. As yet these black Northern Rhodesians did not form a nation in the modern sense. Most of them did not focus their primary loyalties upon Northern Rhodesia as a national entity. Since loyalties were local and tribal, political boundaries took on little meaning at this time. This facilitated political change, for, as Mr. Cornelis W. de Kiewiet has written: "New political and cultural combinations in Africa are entirely possible. That is why federation movements make sense." [18]

H. J. MacKinder has also observed that "a national society can be shaped to a desired career while it is young, but when it is old its character is fixed and it is incapable of any great change in its mode of existence." [19] New cultural patterns are emerging at a rapid pace in modern Central Africa. European leaders clearly understood this. They saw that if they did not act with dispatch, it seemed probable

that the boundaries of that time would have hardened into rigid barriers. In this respect, a state of urgency did exist, for it seems unlikely that the opportunity for federation would have perpetuated itself indefinitely.

A number of leaders in Central Africa also supported federation as a device for future enlargement. For Sir Godfrey Huggins, a federal state had one outstanding advantage as opposed to a unitary state: "and that is that it can be extended to any other parts of the British Commonwealth in Africa." [20] The Rhodesians had two prospective areas in mind: British East Africa and Bechuanaland. They hoped that their kinsmen in East Africa might be encouraged to throw in their lot with the Federation once it had proved itself a success.[21] Moreover, they envisaged real possibilities of a federation with Bechuanaland. The latter might never be able to aspire to full independence under present circumstances [22] and might therefore be enticed to associate with the more liberal Federation in order to free itself from the spectre of South African control.[23] The possibility of joining some, if not all, of Bechuanaland to the Rhodesias has been aired ever since 1921. In response to appeals by the Europeans of the adjacent Tati District of Bechuanaland, the Southern Rhodesian Government on at least two occasions requested that this District be incorporated into Southern Rhodesia.[24] The British Government tactfully noted these expressions of opinion but found themselves unable to act on them at that time.

After World War II, as the air became heavy with talk of a possible federation in the Rhodesias, the Europeans of Bechuanaland renewed their efforts to bring about a transfer northward. The European Advisory Council in Bechuanaland unanimously carried a motion at its forty-ninth session, which called upon that body to negotiate with the Rhodesias in order to become a part of the proposed Federation of Rhodesia and Nyasaland. Rhodesians, seizing upon these expressions, made representations to London along these lines. Their efforts proved fruitful, for when the Minister for Justice and Internal Affairs, Mr. T. H. Beadle, returned home to Salisbury, he announced that the Imperial Government had promised to give full consideration to Southern Rhodesia's claim to the northern parts of Bechuanaland before making any change in the status of that territory.[25]

Once the Federation became a fact, expansionist-minded Rhodesians continued to press for the inclusion of at least a part of Bechuanaland within their orbit. A former Southern Rhodesian solicitor, Mr. W. A. Godlonton, stimulated interest in this question by a lecture to the Rhodesian National Affairs Association. He stressed three reasons

for the Federation's desire to associate more closely with Bechuanaland: security for Rhodesian rail communications, concern for the development of Bechuanaland's cattle industry, and the hope of substantial mineral discoveries.[26] Furthermore, in Salisbury, sixty-year-old documents were discovered which purported to prove that two Orders-in-Council of July, 1894 and October, 1898, had promised Bechuanaland to the British South Africa Company at such a time that the latter desired to incorporate Bechuanaland into its holdings. Southern Rhodesia naturally inherited this guarantee.[27] Perhaps with this possibility of expansion in mind, the Federal Assembly included a clause in the Rhodesian Citizenship Bill which provided for persons to "become citizens by incorporation of territory."[28]

The achievement of federation in the Rhodesias and Nyasaland has put the fate of Bechuanaland in a new light. The decision, however, is not one that the Rhodesians can make alone. They will have to woo their African neighbors with offers of protection and economic assistance and demonstrations of a liberal attitude in race relations. As the prolonged tensions in Nyasaland have shown, even these factors may not be enough to sway the Bechuanas from a course of independence, regardless of whether or not it involves dangers and a slower pace of economic development. Federalism, by restraining the central government from interfering in matters essentially local in nature, may ease this situation; but federalism cannot in and of itself make a community of interest and ideals in southern Africa.

The Conference at Victoria Falls (1951) "was gravely concerned at the dangers which would flow from any weakening or dilution of the British connection and British traditions and principles in the three territories, and agreed that they should so be strengthened as to ensure that they should continue to prevail."[29] In different words, those Europeans who were inspired by the prospects of federation sought to ward off more completely the onslaught of conflicting loyalties such as Afrikaner nationalism or "Gold Coastism." They had witnessed the crumbling of Britain's political influence in the Union of South Africa. Fearing a future loss of the Crown's ties with Central Africa, they banded behind Sir Godfrey Huggins, who called for "a strong British bloc in this part of Africa."[30]

Ironically enough, the African opposition, by insisting vociferously upon the strictest interpretation of treaty connections with Great Britain, can also be classed among those who feared a loosening of the British grip on Central Africa. African leaders maintained on numerous occasions that federation would detract from British obligations as protectors of their African subjects. Like the Europeans cited

above, they, too, wanted to continue a close relationship with the Crown—for different reasons, however.

On the whole the reasons for a difference in emphasis are not difficult to spot. The pro-federation settler looked to Britain for security, assistance and cultural ties; he did not look to Britain as an arbiter in domestic matters. The African shared his desire for assistance and security. Nevertheless, the African sought a continuance of British pressure in domestic affairs. This external pressure was preferred to local administration, largely composed of white settlers. The African was reassured by the surveillance of the Colonial Office, for it meant that the local decisions of a powerful minority were subject to the check of a greater—and presumably more impartial—authority. "Federation," as an African elected member of the Northern Rhodesia Legislative Council told Sir Stephen King-Hall, "is only a scheme cooked up by the Europeans in Southern Rhodesia to enable them to get rid of our protectors the Colonial Office and British Parliament." [31]

In the United Kingdom itself, proponents of federation looked upon a united Central Africa as a new bastion of British power in a fast diminishing Empire. One member of Parliament referred to federation as "the soundest and almost the only way of safeguarding [the] British connection with Central Africa. . . ." [32] These sentiments were reiterated by the Marquess of Salisbury in a stirring debate on federation in the House of Lords on July 7, 1952. The Marquess concluded that if British influence and the British way of life were to be maintained in Central Africa, federation would have to receive the enthusiastic support of Parliament. Lord Ammon rejected such sentiments, declaring: "May it be that the opposition was summed up, in a way unintentionally, by the noble Marquess, Lord Salisbury, when he said that this was meant to preserve the British way of life in Africa? May it not be that, after all, the Africans are not so concerned as are the whites about preserving the British way of life?" [33]

Africa has been shaken to its roots by the coming of Western civilization. An intense strain has been levied against ancient tribal systems; they cannot wholly reassert old prerogatives, for Africa has been thrust headlong into the world struggle for markets, national preeminence and national survival. This, no doubt, causes extreme dislocations within Africa itself. Yet, in the long-term perspective, it may work to the well-being of the indigenous inhabitants affected. In learning of the tools of Western politics and economics, Africans may come, in a comparatively short space of time, to share in the bounties as well as the anxieties of the modern world. If federation

(but one aspect in the larger picture of westernization) speeds and eases the transition to a new way of life, it will be looked upon by most Africans and Europeans alike as a step forward. Africans are likely to identify themselves proudly with the Federation of Rhodesia and Nyasaland, if they sense a spirit of belongingness, purpose, and participation in the building process. This is the central meaning of "partnership"—it is both an ideal and a sound principle.

CHAPTER VII

THE POLITICS OF STABILIZATION

"Fear seemed to be at the root of everything."—Reginald Reynolds.[1]

If the debates over federation had limited themselves to such standard questions as economic diversification, strategic considerations, and administrative organization, the federation issue would not have left the deep scars which are still in evidence today. But, other, more troublesome pressures were clearly at work shaping each group's attitudes toward the question of federation. Group struggled with group, each to achieve a solution which would benefit its particular interests at that moment. They often seemed to pay scant heed to the challenge of inter-territorial development which faced them all, but rather supported or opposed federation in terms of its capacity to defend the interests of the part, even if against those of the whole. As a consequence, a general atmosphere of fear came to permeate the issue of federation. This state of anxiety tended to mold opinions as much as did the other reasons mentioned in Chapter VI. This chapter, therefore, attempts to isolate, community by community, the tense suspicions which clouded—and still cloud—the local scene. In this way, perhaps a composite picture of the struggle for the Central African Federation may be completed.

White settler apprehensions toward the Colonial Office and toward Britons who supported its role were often expressed by legislators in the Rhodesias. Some statements to that effect may be quoted. "We must escape from the powers of the Colonial Office and the United Kingdom Government which are exercised in this area today." [2] "To the extent that the northern territories surrender power to the federal government they will be escaping from the bondage of the Colonial Office." [3] "I cannot help, when I read these documents, feeling that Mr. Griffiths and his supporters in the House of Commons are trying to drive a wedge between white and black in this country." [4]

The Colonial Office became a symbol of opprobrium to white Central Africans. Its massive efforts to assist the development of the colonies—even its efforts to consolidate Central Africa—remained in

obscurity. Threats of secession put the British public on notice that a return to Whitehall of alleged Fabian dominance would be met by secession in the colonies.[5] Meanwhile, the colonists lent enthusiastic support to federation in hope of greater freedom for themselves. (Those who opposed federation, such as parliamentary leader Mr. R. O. Stockil, did so for fear that federation might lead to a more intensive control from London.[6])

In essence, European residents deeply resented any form of unsolicited activity by British politicians or civil servants in their domain. Those Europeans who made their home in Central Africa wished to administer the region, unassisted. If an outsider persisted in interfering in local matters, then sound policy dictated a reduction of his reasons for meddling. The British Labor party seemed the most intrusive of British parties and also the most intent upon a readjustment of local racial relationships; hence, that party received the greatest share of animosity.[7]

Sir Godfrey Huggins, whose fidelity to the Crown can go unquestioned, felt compelled to join the chorus of those chastising the erring British parent. He advised his fellow Rhodesians to ignore statements critical of their policies issued in the United Kingdom: "The people in the United Kingdom love to hug themselves on account of the self-satisfaction and self-righteousness they develop from time to time and delude themselves into thinking that they are the only people with a sense of fair play. They suffer from a kind of unctuous rectitude and apparent hypocrisy which is disliked by foreigners and their overseas kinsmen." [8]

The moral righteousness emanating from the homogeneous, island hub of the Empire had touched the Achilles heel of white Central Africans. They valued highly their connection with the metropole, but rejected its ethical postulates as impractical for multi-racial Africa. These white Africans sought local autonomy in order to rule their house as they thought best. This phenomenon is not without precedent in colonial history.

No threat seemed more ill-defined in England or more real in Central Africa than that of "the militant Black Africanism of the Gold Coast and Nigeria." [9] Prior to 1945, British West Africa lay dormant under the benevolent administration of trained civil servants. Since that time, the Gold Coast (now Ghana) and Nigeria have moved from passive acquiescence to a more spirited interest in political affairs. Their subjects have participated in elections, parliaments, courts, and civil services in a scope hitherto unknown. Moreover, many of the political spokesmen of these countries have exhibited

an aggressive pride in the political accomplishments of their area and along with this aggressiveness goes an unmistakable desire to avoid the complexities of a multi-racial society.

The settlers of the Rhodesias were keenly aware of the powerful appeal which West African examples of black rule had for the peoples of southern Africa. These Europeans saw in "Gold Coastism" an unsettling force of vast dimensions. They were "startled . . . into angry alignment like the crack of a whip" [10] by the Gold Coast election of 1951. That election demonstrated the feasibility of black self-government under a parliamentary system. The fact that this election coincided with a dedicated federation movement in Central Africa added strength to those European forces which advocated a closer union of territories to prevent future incursions of Negro nationalism from the north. Politicians played upon this fear of "Gold Coastism" to great advantage. A member of the Southern Rhodesian legislature warned that "unless we consider some form of federation it will not be a matter of putting a brake on, but certain areas in Northern Rhodesia and Nyasaland will adopt the policy of the Gold Coast before many years are over. . . ." [11]

Africans of Nyasaland and Northern Rhodesia shared some of the blame for stoking the fires of suspicion among the settler community. Mr. Harry Nkumbula, President of the Northern Rhodesian African Congress, told a Lusaka audience that, "This is our country—I have time and again stated that imposition of this scheme against the wishes of six million Africans will make life intolerable for the whites in Central Africa . . . the best government for the black people is government fully manned and run by the black people of Africa." [12] (In an interview with Mr. Henry Hopkinson, Minister of State for Colonial Affairs, after the above statement was recorded, Mr. Nkumbula denied preaching black domination.[13]) Whatever his intentions, his speeches were read and quoted widely. Europeans feared his cry for a common voters' roll for all, regardless of education or property, and his marked admiration for Dr. Nkrumah's achievements in the Gold Coast.[14] Nkumbula, to a large extent unintentionally, helped to bring "Gold Coastism" from a distant, veiled threat to a present, "menacing" reality. As such, "Gold Coastism"—implying to white settlers equality among races, black rule, and the non-permanence of the white community in Central Africa—became a potent weapon in the armory of the forces fighting for federation.

Rhodesian attitudes toward the political role of the Union of South Africa in the affairs of that part of the continent included both fear and independence. The Union's economic and military strength was to a large extent the bulwark behind which the shaky structure of white

leadership in the Rhodesias operated. The isolation of the whites dictated a firm but friendly relationship with the Union and, at the same time, a more flexible attitude toward their African "partners" than was evidenced to the south. This crucial compromise in racial relations, coupled with a cultural pride in their British heritage, led the white population of the Federation, by necessity, to a position of insecure independence of the Union's leadership.[15]

During the struggle for federation, the threat of amalgamation with the Union, for economic and strategic reasons, was brandished with purposeful and doubtlessly telling effects by responsible proponents of federation in the colonies. The British public and its leaders were alerted to a train of consequences pending their rejection of the scheme for closer association. Earl Winterton suggested to his colleagues in the House of Lords that "in certain events Southern Rhodesia might decide to join the Union. What would your Lordship's House do then?" [16]

Subsequent actions and policy pronouncements assure most observers that former talk of amalgamation with the Union has lost much of its poignancy.[17] Lord Malvern has made reference to the process by which the Union and the Federation are drawing further and further apart. The two countries are, he declared, "pursuing policies which are very different. . . . The Union do [*sic*] not like our policies and we do not think theirs are suitable for us." [18] Such statements indicate a spirit of independence which is spreading through the European community of Central Africa. These settlers are conscious of the Union's displeasure with their institution of a more liberal policy in racial matters. Yet, the determination of their own policy proceeds logically from a position of greater strength—a position which, in turn, proceeds from closer union of the territories, industrial development, and a high rate of immigration. Disruption of the federation, on the other hand, could lead to a change of attitude in the direction alluded to by Prime Minister Sir Edgar Whitehead of Southern Rhodesia in the Hillside by-election.[19]

In the Southern Rhodesian referendum of 1953, 14,729 persons, or more than thirty-six per cent of those voting, cast their weight against the Federal Scheme. The size of this opposition indicates that each voter was faced with broad alternatives, and in more than one-third of the cases the negative one was selected. While every aspect that went into this determining process cannot and need not be discussed, it is worthwhile separating several lines of thought within opposition ranks for further inquiry. Two general, though not exclusive, categories of argument emerge. One depicts Southern Rhodesia as saddled

by federation with two economically non-viable protectorates. Another presents federation as a diminution of Southern Rhodesia's political status.[20]

Mr. R. O. Stockil, Leader of the Opposition in the legislature of Southern Rhodesia, spearheaded a sharp attack upon the economic advantages allegedly accruing from closer union. Federation, he declared, would make government more expensive. It would create overlapping administrations, and thus duplication and waste. Furthermore, Southern Rhodesia, as the most powerful territory, would be obliged to shoulder the brunt of the expenses. In the event that the one-commodity economy of Northern Rhodesia were jeopardized by a drop in the price of copper, Southern Rhodesia might be affected disproportionately. Mr. Stockil thereupon labeled Northern Rhodesia a liability and advised his countrymen to vote against the federal plan.[21]

While it is certainly true that Northern Rhodesia was struck a heavy blow when world copper prices eventually did fall it is equally important that Southern Rhodesia, as a unit in the Federation, profited greatly from rising copper prices during the years following federation. The benefits under a federal plan are tempered by the assumption of new obligations. Still, the overwhelming advantages of diversification and large-scale planning would seem to outweigh the specious security concomitant with economic and political isolation.

Southern Rhodesian politicians also disapproved of federation for a number of political reasons. They feared that Dominion status would be delayed, that the Colonial Office would reassert authority over the self-governing colony, and that Southern Rhodesia's representatives would be swamped in the federal legislature by a combination of representatives from the northern territories. This general uneasiness regarding Southern Rhodesia's new political role in the event of federation was best summed up with a frank warning in the territorial legislature by Mr. G. Munro. He declared, "If we federate with protectorates we reduce our own status to that level." [22] Federation, concluded some of Southern Rhodesia's parliamentarians, was not a progressive step but one intended to cramp the country's freedom of action.

A reading of the long and rather complex debate over the alleged departures of the Federal Scheme from the Draft Federal Scheme leads the reader to conclude that some opponents of federation turned to legal formalism in a last attempt to block its authorization. One charge, passed off as "ridiculous" by Sir Godfrey Huggins,[23] claimed a "flagrant" departure in the usual "saving clause" incorporated into the Federal Scheme.[24] This clause was a customary means of pre-

serving the United Kingdom's final responsibility for the decisions of its colonies. Yet the clause was condemned as a device for transferring to the United Kingdom a concurrent power to enact legislation, a power not now granted under the laws of self-governing Southern Rhodesia. The Minister of Justice, Mr. J. M. Greenfield, pointed out, "The authority has been there from the beginning ever since there was a Parliament in the United Kingdom and it does not need an instrument of that sort in order to confer authority on to itself." [25] The "saving clause" was included for technical reasons, not, as Mr. L. J. Keller feared, to turn Southern Rhodesia "back to the days before we gained Responsible Government." [26]

Another factor involved in this struggle over federation was the stirring-up of international hostility from South Africa on the one hand and from the representatives of black Africa, particularly the Gold Coast, on the other. Gold Coast leaders have scrutinized with care both claims and practices of an enlightened multi-racial partnership from Central Africa. Clearly, performances have not quieted their distrust nor fulfilled their demands, a sign, as is to be expected, of their complete sympathy with the black opposition of Central Africa. West African leaders have criticized land alienation, voting restrictions, and the imposition of the federal scheme on an unwilling African population. The Gold Coast's (now Ghana's) Prime Minister, Kwame Nkrumah, epitomized these feelings when he declared in London that "Central Africa will become a second South Africa." [27] Gold Coast representatives to the Bandung Conference adhered to the final declaration of that meeting which declared, *inter alia*, that the Asian-African nations "deplored the policies and practices of racial segregation and discrimination which form the basis of government and human relations in large regions of Africa. . . ." [28] These men of West Africa are in no mood for compromise. They have adopted Western ideas such as individual freedom, racism, and nationalism and have fit them to their own needs. Yet it is hardly a process calculated to ensure the most pleasant of relations with their white neighbors in the Rhodesias.

South Africa's distaste for the new Federation stemmed from its antagonism to the latter's professions of racial tolerance. The oft-proclaimed racial liberalism of Sir Godfrey Huggins' Federal party pierced the weakest spot in the Afrikaner's armor. They feared a neighboring, white leadership which would promulgate partnership and equal rights for all "civilized" men. A responsible white spokesman, Roy Welensky, advised his audience, "I believe that here in Central Africa we are going to produce a solution to this problem [of

race relations]."[29] Implicit in such a statement was a conclusion that neither South Africa nor the Gold Coast had answered the problem satisfactorily.

Furthermore, such assertions as Welensky's not only undercut the Union's racial policy but dimmed its hopes for a widening of its economic and political frontiers. Prime Minister Smuts led a succession of statesmen who coveted some form of closer association with the Rhodesias. These men also have virtually completed the amalgamation of South-West Africa into the Union. In the years following federation, Defense Minister François S. Erasmus sponsored a defense arrangement for the entire area below the Sahara Desert.[30] Also, an international commission for technical cooperation has been established to assist the Union, the Federation, Liberia, Ghana, and the areas administered by the United Kingdom, France, Belgium, and Portugal.[31] Thus, leading nationalists in South Africa have evidenced a desire to avoid economic and political isolation; nevertheless, Dr. Verwoerd's government seems likely to prefer isolation to a tempering of its racial policy. *"Die witman moet baas bly"* (the white man must remain boss). To the extent Rhodesians compromise this policy, they are an embarrassment and they make close collaboration between the two states impossible.

Additional international hostility to federation was evident in the debates of the United Nations. The question of federation in Central Africa was raised at the Fourth Committee of the General Assembly in 1953 upon receipt of a letter to the chairman from the Reverend Michael Scott. During his visit to Nyasaland, a number of chiefs asked Scott to act on their behalf. He responded by sending a written communication to the United Nations. This laid bare the main African objections to the proposed constitutional changes in Central Africa. "We ask," the petitioners wrote, "whether it would be compatible with international law for people who have voluntarily placed themselves under the protection of the Government of the United Kingdom to be handed over, regardless of their views and expressed wishes, to the jurisdiction of another government. . . . [32]

This communication opened up a series of debates regarding its procedural admissibility and its substance. The Fourth Committee, at its 337th meeting, decided to circulate the letter as an official document. At the 342nd meeting, Mrs. Menon (India) proposed that the Committee should not close debate on the Central African Federation, rather it should be kept on the agenda for later discussion. Lord Hudson (United Kingdom) considered this suggestion to be neither timely nor proper.[33] The Committee had no authority, he maintained,

to discuss, either political conditions in non-self-governing territories or complaints regarding non-self-governing territories which were transmitted through private channels. If the Committee insisted on debating the issue of Central African federation, warned Lord Hudson, "it would raise in an acute form the question of the extent to which his delegation could still usefully co-operate in that work." [34] The tone of the inquiry shifted perceptibly as the full impact of this threat registered on the Committee members. For although Mrs. Menon made an attack on the plan for federation, and although the Fourth Committee turned down a United Kingdom motion for closure, the latter prudently adopted instead a motion for adjournment (with the understanding that the item might be subject to reconsideration).

India was not alone in criticizing the Central African Federation and in urging a detailed examination of its political implications. It was the Egyptian delegate, Mr. Abou-Afia, who called for a fuller discussion on the letter submitted to the Committee by the Reverend Michael Scott, a letter he found "both interesting and important since it showed to what extent the people of Nyasaland had been able to decide whether or not they wished to be integrated in a federation. . . ." [35] The Soviet bloc, as a unit, voiced strenuous objections to virtually every aspect of federation. Mr. Winiewicz (Poland) protested against the immigration policy which accompanied the plan for federation. Moreover, he contended that "The indigenous population has been persecuted . . . ," discriminated against, and deprived of land and mineral resources.[36] The Czechoslovakian delegate, Mr. Kaisr, suspected the purpose of federation was "to strengthen colonial domination." [37] And Mr. Lynkov (Byelorussian S.S.R.) said: "Yet another example of a disguised form of annexation was the federation that was being established by the United Kingdom in Central Africa to intensify the exploitation of its population and gain additional raw materials." [38]

Party politics in the United Kingdom, as it relates to the struggle for federation in Central Africa, seems paradoxical. To all appearances, the Labor party here is the party of imperialism, while the Conservative party becomes the upholder of "responsible government." Throughout the debates and negotiations, the Conservative party stuck to a more consistent position. In power or out of power, its members were heedful of the aspirations of the settlers of Central Africa, although not always to an extent sufficient to satisfy local demands. The Labor party, on the other hand, moved irresolutely from an interest in federation to a policy of status quo. The Labor party, it must be remembered, called together the first Conference of Officials

in order to explore the question of closer association in Central Africa.[39] It convened the Victoria Falls Conference (1951) which outlined some of the main forms and safeguards to be included in this federal system. Nonetheless, the Labor party did not support either the Draft Federal Scheme or the Federal Scheme in the ensuing debates in Parliament. To conclude that this change of heart was dictated by an electoral defeat is too simple and too crude an explanation.[40] Such a violent switch away from the position of granting power to a British colonial people is hardly the way to recover from an electoral defeat. How would a party which initiated federation expect to enhance its electoral attractiveness by making a tactical about-face after the election? Answers gravitating around opportunism are inadequate. Labor leaders must have realized that, privately, they had more to gain by supporting the policy they initiated than by following a path mired in failure. Rather, it would seem that the Labor party attempted to reassert a partisan position into colonial affairs. Conservative members of Parliament abhor such maneuvers. Yet, this instance conforms generally to Labor's critical attitude as manifested during the crises which occurred in British Guiana, Uganda and Cyprus.

The Conservative Government viewed Central African federation as an urgent necessity.[41] It looked upon any delay as risky. Unless the opportunity were seized, Britain's position on the continent of Africa might be endangered.

Conservative party spokesmen exhibited not a little impatience with African conservatism—that is, African resistance to sweeping political changes. On numerous occasions, Conservative speakers questioned the accuracy of any representations of African opinion. Africans were described as being led by a handful of political adventurers. These black politicians allegedly shaped the attitudes of an amorphous mass,[42] of whom roughly five per cent were politically conscious. One member of Parliament even declared without equivocation that, "African opinion does not exist."[43] From there, it was a short step to the position that "authority cannot always wait on the consent of the governed."[44] Because Conservatives tended to adjudge African leaders, in the main, as irresponsible, they felt free to impose what they considered a practical formula upon the stubbornly unreceptive Africans. Thus, Lord Rennell called upon his colleagues in the House of Lords to decide whether pro-federation Rhodesians were right and wise. "If so, they should be backed, irrespective of the clamour of the masses who cannot possibly understand, or even be told in detail, the very complex set-up which is enshrined in the White Paper."[45]

Labor's parliamentarians did not take violent exception to the argument that federation would offer concrete economic advantages. Instead they challenged the Conservatives' apparent disregard of African opinions, capacity to form responsible judgments, and rights to be consulted on an equal basis. In Parliament, Fenner Brockway, frequently referred to as the "Member from Africa," found no objection to federation as a principle of political organization. "The objection," he stated, "is to the fact that the Federal Parliament would be under the control of the European majority, with insignificant African representation." [46]

Labor and Liberal members, contrary to the Conservatives, fully heeded African expressions of opposition to the federal scheme. They regarded the opinions made explicit by African leaders as the most authentic indications available of African attitudes.[47] Allegations of apathy on the part of the African masses were countered with remarks on the political apathy prevalent in Western Europe at election time. They also pointed out that responsible delegations of chiefs, doctors, and educators journeyed to London at great sacrifice to present their reasons for opposing the federal constitution. This demonstrated that these opinions were not lightly held.

The Labor and Liberal members of Parliament were not dogmatically opposed to federation as such. In fact, it was members of the Labor party who initiated talks on closer association. What they attempted to achieve was a slower, more considered approach to Central Africa's constitutional problems. If the Africans could be encouraged to give voluntary support to a new political order, the Labor and Liberal members of Parliament would have been willing to endorse federation. Lacking a genuine mass support, they opposed the scheme. R. W. Sorenson, on rising to defend James Griffiths after the latter was criticized for changing his position following the General Election of 1951, declared that Griffiths clearly saw the advantages of federation. However, he depicted the Labor Colonial Secretary as refusing to impose his wishes upon an unwilling African people. Sorenson likened such an imposition to tenets of the Communist party. The Labor party, he said, desires consultation *and* consent. "Either we respect democracy and try to work it when it is difficult and dangerous, or we play into the hands of the Communists and others who despise political democracy and use the same argument as has been advanced today." [48]

When the Opposition attempted to detract from the urgency which surrounded the issue of Central African federation, it struck the nerve center of Conservative policy.[49] On May 4, 1953, James Griffiths introduced a motion in the House of Commons to refer the proposed

scheme of federation to a Select Committee of that House. African delegates would then be given the opportunity of addressing a Select Committee in order to present the British public with a complete picture. While it was admitted that this procedure might delay federation temporarily, Labor members deemed the possibility of African compliance as more than outweighing the short-term loss.[50] The motion caused a long and acrimonious debate on the whole question of federation. In the end, the Conservatives secured a majority for their position and quickly brought the federation bill through its remaining formalities.

A moral issue, weaved into the whole pattern of debates on federation, has outlived the partisan friction of that period. Whether or not it is right to impose a political system on a reluctant majority is an issue of vast dimensions. Africans and Indians alike have confided in this observer a preference for British colonial rule over that of any other European power. Great Britain has granted her colonial subjects a measure of political and economic liberty which vies with those of other colonial powers in Africa. However, there were signs (the petitions, for example) that the imposition of federation may have damaged Great Britain's esteem among the masses of Africa. As Mr. John Dugdale, a bitter antagonist of the federal scheme, observed in Parliament, the controversial treaties, on which the chiefs placed so much reliance, contained little upon which a lawyer might "bite." They represented "unconditional trusts," and it was this trust, according to Mr. Dugdale, which the chiefs felt had been betrayed.[51]

Strong feelings arose in Britain over the question of imposition (and also over the unilateral interpretation of treaties). Lord Rea called any unilateral alteration of political status in Central Africa "a grave breach of trust."[52] Lord Ogmore, after conceding the economic advantages accruing from federation, declared that "To force through federation in the teeth of African opinion—that is if Her Majesty's Government fail to persuade Africans of the desirability of federation—would, in my view, be both a crime and a tragedy. It would be a betrayal of all that we, as a people, stand for."[53]

Moral issues of consequence hardly lend themselves to patent formulas. Surely this one did not. The British Conservatives sincerely believed that in sponsoring federation they were acting in the interests of the Europeans and Africans alike. They reasoned that the people of Central Africa could not cope with their economic requirements or military necessities unless they consolidated the three territories into a stronger unit. Britain's Conservatives felt they had learned the hard facts of economic and military survival from a process

of trial and error. Therefore, in determining the course of Central Africa's development, they were prompted to act from the deep moral traditions that well from a long history of trusteeship.

However, the Opposition also presented a case based on practical and moral considerations. Ours is a world dominated, at this time, by ideological strife. Each faction needs to cultivate trusted friends. Given an insecure world situation, how is Britain most likely to attain her goal of colonial partnership (i.e. mutual cooperation) in Africa? Does Great Britain dare weigh economic and military considerations above respect for the opinions of her colonial subjects? Even aside from the practical, does she dare become so certain of the rectitude of her cause that she should impose a new constitutional pattern upon the indigenous inhabitants, who are opposed in overwhelming numbers to the plan? It is a hard choice. Britain is pledged to bring Western ideals as well as technical methods to Africa. She is, in effect, a salesman of democracy and free institutions. It is a difficult, awkward, and extremely responsible role. The outcome of her decision in Central Africa is uncertain. By a crude yardstick, Britain will probably be praised for successes and condemned for failures. However, the bitterness engendered by Britain's decision to impose federation may play a role which transcends the meaning of her effort to achieve racial partnership in Central Africa. Africans, unfortunately, may store up their grievances with an eye to embarrassing the even functioning of the new state. This would be a sad commentary on African maturity; yet it would demonstrate the futility of imposition whether for good reasons or ill.

African opinion was, no doubt, formulated by a few, but it won almost universal acceptance. It found expression in delegations, petitions, strikes, public statements, and threats of non-cooperation. All classes and types—chiefs, tribesmen, journalists, teachers, farmers, idealists, opportunists—joined hands in the opposition movement. The intensity of their resistance varied in each territory. In Southern Rhodesia, African vehemence was tempered by the minor part they played in the controversy; this made it possible for many Africans to avoid a seemingly hopeless involvement.[54] Africans in Nyasaland resorted to almost every device short of large-scale violence in an effort to forestall federation. The situation was much the same in Northern Rhodesia, where Africans again distinguished themselves for their militancy.

The Paramount Chief of Barotseland, the only African of high stature not to dissent vigorously from the scheme, stood out virtually alone against a background of oppugnancy. It can be assumed that

he represented some Africans in all positions who watched passively as their neighbors stoked the fires of general indignation. To the outside world, however, the Paramount Chief of Barotseland appeared as a lonely exception. Throughout Central Africa, Africans closed ranks in a surprising display of unanimity. Europeans from Bulawayo to Coventry were forced to recognize African hostility to the plan for federation. They might question that all Africans who expressed their ardent distaste of the federal scheme had a full knowledge of its complexities; but they could not question that Africans had arrived at genuinely negative views regarding the plan's desirability.

The main focus of opposition in Nyasaland and in Northern Rhodesia was the African National Congress. Leading chiefs and African members of the Northern Rhodesian Legislative Council united in many cases with Congress politicians in order to propagate political dissatisfactions. The Congress became a rather effective means of centralizing pressures, given the conditions of Central African life. These pressures apparently worked directly upon non-conforming Africans and less directly upon Europeans, locally and abroad. The unsystematized coalition of leading opposition forces, i.e., the chiefs, the intelligentsia, and the African National Congress, achieved a surprising degree of unity during the tense days when struggle over federation loomed large in the thoughts of the Africans of these territories.

Since federation has become a fact, however, the apparent unanimity of opinion has been fragmented, and the Congress has declined in influence. Congress, wrote an observer in 1954, "is weak on organization, is badly led, is dubiously financed and works through human material which, so far, has conspicuously lacked the idealism . . . which formed so significant an element in the strength of the young Gandhi and some of the Gold Coast nationalists." [55] Congress benefited by the stimulus of a tense and meaningful issue. Now, the issue itself has lost some of its immediateness, and the African National Congress has seen its freedom of action restricted by the passage of a Public Order which prohibits unauthorized processions, training in the means of war, and the publication of false news calculated to cause fear and alarm.[56]

Politically acute African leaders in the northern territories claimed to represent a solid community opposition to federation. Mr. Sokota, an African member of the Northern Rhodesian Legislative Council, was by no means unique when he maintained that, "The whole entire African community is solidly opposed to the plan and we are united in doing so." [57] The African National Congress itself claimed a mem-

bership of 100,000, while more conservative estimates place the figure in the neighborhood of 2,000 at the height of its campaign.[58] Perhaps Congress' power in Northern Rhodesia was more clearly revealed by the events which surrounded the call for a general strike early in 1952. At that time, Congress adopted, in principle, mass protest action against federation and resolved "to begin immediately a campaign to organize the people for such action." [59] This action yielded few results until the following year. Then, at a meeting in Lusaka, Harry Nkumbula proposed the first and second of April as days of mourning. No work was to be performed throughout the territory. This proposal met with varying responses. Mr. Konkola, President of the Railway Workers Union, called on its members to refuse work. Officials of the African National Congress urged African civil servants to strike. However, the leaders of the mineworkers, Messrs. Katilungu and Nkolama, did not call on their members to join the general strike. These mine union officials stated that they were personally opposed to federation, but they refused to make use of union machinery to secure political ends.

What was the outcome of the general strike? At best, it was not encouraging for Mr. Nkumbula; at worst, it was, in the words of Mr. Lyttelton, a "fiasco." [60] In the vital mining areas, only Mufalira mine was affected. The railways remained unaffected and, except for the daily paid staff, nearly all African civil servants were at their posts. On the other hand, a ninety per cent effective strike was recorded at the Chilanga cement works and only twenty per cent of the Africans employed in the shops of Lusaka reported for work.[61]

Nyasaland, known in the past for its cordial relations between races, was riven with strife and bitterness over the proposal for federation with the two Rhodesias. As an overwhelmingly black territory, its people were repelled by the schemes advanced for federation. These were seen as further entrenching "European political dominance." [62] Nyasaland politicians also made use of this period of unsettlement to urge consideration of a greater measure of self-government. However, if a choice were to be made between constitutional changes including federation and no changes and no federation, politically articulate Africans made clear enough their preference for the latter alternative.

Population statistics point up the numerical superiority of Africans in Nyasaland: 2,600,000 Africans, 5,600 Europeans, 6,000 Asians, and 2,000 of mixed races.[63] Despite this superiority in numbers, no African, at the time the federation struggle occurred, was represented on the eight-member Executive Council of that territory; nevertheless, two Africans and one Indian were members of the nineteen-member Legislative Council.[64] This lack of representation caused alarm and

suspicion. The coming to the fore of the federation issue apparently snapped existing restraints, for a storm of grievances appeared on the scene all at one time.

It seems only proper to note in advance that Africans were not alone in opposing the inclusion of Nyasaland in the federation. Men with as uncongenial views as Mr. G. Munro of the Legislative Assembly of Southern Rhodesia and Lord Ogmore of the House of Lords agreed, for different reasons, on excluding Nyasaland. Munro called for a federation of units equal in status, not one which would cause a reduction in Southern Rhodesia's status. "Why Nyasaland was brought in at all," he remarked, "is very difficult for me to understand." [65] Lord Ogmore, on the other hand, conceived of Nyasaland's interests as closer to those of Tanganyika, to the east. "I think," he declared, "it would be very useful to have Nyasaland in the Federation, but perhaps more useful from the point of view of the Rhodesias than from that of Nyasaland." [66]

The federation issue has brought in its wake a more intense African awareness of political problems than was evidenced previously. Formerly passive and law-abiding Nyasas have, in the meantime, withdrawn from government posts, refused work in the mines and in the industries, withheld taxes, boycotted European goods and stores, and declined to participate in district, provincial and legislative councils. Their hostility to federation was symbolized by Chief Mwase's rejection of an invitation to attend the Coronation in London. Chief Mwase counseled moderation during the early days of discussion; however, with his patience sorely tried by the seeming lack of response in the Rhodesias and in Britain to his call for reasonableness on all sides, he lost hope. In later despairing moments, he came to visualize a future darkened with "war and everlasting hatred." [67]

African moderates, such as Chief Mwase, could not long hold the field against the more virulent antagonists of federation. The resentment felt by these moderates soon lapsed into extreme bitterness. Angry chiefs, who had served long and faithful years under British tutelage, turned in despair to the Nyasaland African Congress for a more puissant vehicle of expression.[68] Eighty-two chiefs joined hands with Congress politicians in organizing a program of non-cooperation. The chiefs did everything within their power to repudiate violence, but, despite their efforts, a number of unfortunate incidents occurred.[69]

In a concerted move to publicize their deep resentment over federation, a party of Nyasaland chiefs, in January, 1953, traveled to London to present a petition to their protector, Queen Elizabeth II. In London, the delegation was joined by Dr. Hastings Banda, representative in the United Kingdom of the Nyasaland African National Congress.

Soon after landing the party, with the addition of Dr. Banda, paid a visit to the Colonial Secretary. Mr. Oliver Lyttelton used this occasion to inform the delegation that he had advised Her Majesty not to see the group. On a later occasion, when questioned in the House of Commons, Mr. Lyttelton explained his reasons for taking this action: "There were two reasons and two reasons only. First of all, these chiefs came unsponsored by their Government and they were not of a standing which in the ordinary way would have justified me in asking Her Majesty to receive them. Moreover, they had left Nyasaland without making any request that Her Majesty should receive them and, I think, on that ground alone no responsible Minister could have advised Her Majesty to receive them. . . . The second reason is this. It would have been constitutionally improper for a Secretary of State to advise Her Majesty to see them on any political grounds. I thought at the time that it was quite possible that they would wish to involve Her Majesty in a discussion of political questions. . . ." [70]

The delegation failed in its efforts to gain an audience with the Queen. Yet its message was spread throughout the United Kingdom. In numerous public appearances throughout the Isles, the chiefs enlisted a large backlog of supporters. These constituents, church groups, and union members heaped mail on the desks of their representatives in Parliament. However, in the end the federation bill was enacted into law, and the chiefs returned to their homeland empty-handed.

Four main reasons may be given to explain African opposition to the federal scheme. Africans feared (1) an increase in racial discrimination, (2) an entrenchment of white supremacy, (3) the inadequacy of safeguards intended to protect vested African interests, and (4) the prospect of a higher rate of white immigration.

"Africans opposed federation on principle," remarked Mr. Sokota, African member of the Northern Rhodesian Legislative Council, "because they fear the extension to this country of the native policy of Southern Rhodesia, if the three countries are federated." [71] Roy Welensky supported this contention, for he wrote of the African's underlying fear of "a native policy similar to that in existence in the Union of South Africa." [72] In some part, the intensity of African suspicion must have been the outcome of their personal experiences as migrant workers in Southern Rhodesia. Africans came to learn, at first hand, of the industrial color bar, geographical separation, pass laws, and the lack of statutory provisions for the recognition of African trade unions in Southern Rhodesia. The distribution of land is a basic cause for ill will. The Land Apportionment Act (1930) in Southern Rhodesia divided land into three areas: African, European

and unassigned. Of a total area of 150,333 square miles, 50,701 square miles were assigned as Native reserves and Native areas; 75,910 square miles were set aside as European areas, and the balance (23,722 square miles), largely infested with tsetse fly, remained unassigned.[73] Since the pressure of African population was already intense on the heavily overcrowded land, an increase of population could be expected to make conditions even worse in rural Southern Rhodesia.

Africans from the northern territories observed a change in racial relations as they migrated south for work. They returned home with a desire to minimize the northward flow of Southern Rhodesian practices in racial matters. Their opposition to federation is, in part, a manifestation of this sentiment. A statement by Chief Mpenzi, a Ngoni from Northern Rhodesia, to a Westminster audience in 1953 illustrates the general point: "Don't be mistaken; it is not only the intelligentsia who don't want federation. You have been told that the African [National] Congress is intimidating chiefs and people. That is false. I was trained in Southern Rhodesia, where so many Africans have been moved from their original lands and placed where there are only rocks and sandy soil. They have no African members in the Legislative Council, and we have in Northern Rhodesia. Their trade unions are not recognized." [74]

Africans of Nyasaland and Northern Rhodesia returned home with a new appreciation of the strides that were being made in their countries under the tutorship of British colonial officials. They hoped for a greater measure of self-government, but preferred the status quo to a link southward. This accounts for much of the reticence which Africans in Southern Rhodesia displayed on the federation issue. They had little to gain by an appeal to British conscience and therefore opposed the scheme with less open vehemence than did their compatriots to the north.

The second main reason for African opposition to federation in Central Africa was a fear of entrenching white supremacy. With a little foresight, a good deal of fear on this account might have been avoided. It was clear to all that white protagonists inspired the drive toward federation from its outset. Africans did not identify themselves with the movement and were given little encouragement by European leaders to do so. With initiative and origins resting primarily in local white hands, the Africans generally suspected that the step toward federation was conceived for the purpose of enhancing local white power. Basil Davidson, an author who showed little sympathy for the federal scheme as proposed, unhesitatingly gave his opinion that despite constitutional safeguards "there were few who

really doubted that federation would mark a decisive step towards the official and legal enthronement of white supremacy in Northern Rhodesia and Nyasaland." [75] Add to this a fear of Southern Rhodesian influences and one sees the basis for intense African anxieties.

Africans have learned a great deal about the European since Lobengula's time. They have learned of his power, his idealism, and his complicated outlook on life. Political consciousness is on the rise and more and more Africans are gaining a facility for the mechanics of Western politics. These political leaders are seeking time so that they may master Western ways and so that they may share fully the advantages of Western civilization with the white residents of Central Africa. "Is it any wonder," asks Lord Rochester, "that so many Africans refuse absolutely to be a party to any scheme which they believe, rightly or wrongly, may jeopardize their own future? Their ultimate goal being self-government, are they likely to interest themselves in federation unless and until they are qualified to take a major part in it?" [76]

A third reason for African opposition was a prevailing skepticism regarding the utility of the safeguards which were incorporated into the Constitution in order to protect African interests. Africans appreciated the safeguards, but they lacked confidence in their long-term usefulness. On numerous occasions references were made to South African experience. There the Nationalist Government was in the process of searching for (and eventually finding) a method of removing the Cape Coloreds from the common roll, a privilege assured to them by the entrenched sections (35 and 152) of the South Africa Act of 1909.[77] Africans in the Rhodesias and Nyasaland reasoned pessimistically from this example. In numerous instances they concluded that a European minority might come to act in an arbitrary manner as soon as the Colonial Office withdrew its controls. The cry arose that safeguards were a "debased currency" on the African scene. Mr. E. M. Mtebuka typified a large segment of articulate African opinion when he asserted that "there is much loose talk about safeguards, but we have ceased to think in terms of safeguards, which have never been used against Southern Rhodesia." [78] In short, the African suspected that London would not veto the acts of its kinsmen abroad. Since Southern Rhodesia secured self-government in 1923, a test of this hypothesis had never taken place prior to the enactment of federation. Now that Parliament has overridden the African Affairs Board's objection to the Federal Electoral Bill, however, there would seem to be less likelihood than ever that Africans will place great store by constitutional safeguards.

The final reason for African opposition to federation is a fear of

intensified white immigration. Africans in Northern Rhodesia were quite outspoken on this point. The leader of the unoffical white members in that Legislative Council was greeted with a roar of opposition when he called for a large-scale immigration of 100,000 whites within a decade.[79] Chief Mpenzi, for example, told a London audience that "Mr. Welensky wants federation because he wants a very large number of white immigrants to overwhelm the Native population, as they are doing today in Southern Rhodesia. If federation comes, it will be a hell for us." [80]

Africans outnumbered the European community of Northern Rhodesia by nearly forty to one. (In Southern Rhodesia, there were thirteen Africans for each white inhabitant.) Only large-scale immigration was likely to affect appreciably the composition of Northern Rhodesia's population, and Africans tended to look upon white immigration apprehensively. In Northern Rhodesia Africans had secured employment opportunities which compared favorably with those gained by Africans throughout much of the area south of the Sahara. This was due, in part, to a scarcity of labor in Northern Rhodesia. Naturally Africans in this area wished to prolong this situation, even if it meant a slower rate of advancement for their territory in the long run. Hence, as federation came to be identified with an increased rate of white immigration, partly because of statements such as Welensky's,[81] federation became a symbol for all of the Africans' troubles—causing them to fight it with an intransigence otherwise unexpected and unexplainable.

At this point it is worth emphasizing that Central African public opinion is, in itself, a vague concept. No comparison can be made to European democracies, which boast a large, formally-educated citizenry. One is compelled, therefore, to seek out the opinions of a more limited group, primarily the chiefs and the educated élite, in order to derive articulate African opinion. These attitudes may misrepresent the underlying mass opinion, but in the majority of cases they are the most reliable guideposts at hand.

Although the spokesmen represented all segments of African life, their speeches tended to gravitate around a uniform set of arguments. Similar themes were reiterated time and again. Furthermore, the records show that the speeches themselves suffered a minimum of contradiction, despite the fact that they were repeated over and over again to diverse audiences throughout the northern territories. Even leaders of the white community tacitly recognized the solid wall of African opposition to the plan for federation.[82] This combination of circumstances leads one to the conclusion that the opinions expressed

by the chiefs and intelligentsia were, to the extent known, genuine expressions of community feelings.

The American Civil War "left a far higher degree of southern unity against the rest of the world than had prevailed before." [83] That observation applies with equal validity to the post-federation era in Central Africa. The issue over federation blurred former lines of nonconformity within each primary group (European and African). In all three territories, Europeans were drawn closer together, so that they might counter more effectively any possible achievements secured by a more unified and more politically conscious African opposition. This unity held over, with some exceptions, into the period following federation's inception into British Central Africa.[84]

The African community also experienced a new sense of cohesiveness which grew out of their struggle against federation. Throughout the period under review, interest and combativeness became sharper as the day of enactment drew closer. Finally, and with reluctance, African chiefs and educated leaders threw caution to the winds. By late 1952 many chiefs long known and admired for their good sense came forth to declare their opposition. The cumulative result of their denunciations was an intensification of African nationalism.[85] Professor Thomas Adam has described this phenomenon in a recent publication: "Nascent African nationalism is suffering a forced growth in British Central Africa through the decision of the United Kingdom government to proceed with a Central African Federation despite the protests of almost all organized African groups. In long range perspective, the enforced Federation will lay a basis for future African solidarity on something approaching true national lines." [86]

If the issue of federation encouraged a sharp division of interests along racial lines, it also accounts for the extension of liberalism—even if only a surface manifestation—in Central African politics. Thus, at the Fifth Unofficial Commonwealth Relations Conference held at Lahore, Pakistan, in March, 1954, a speaker from the Central African Federation declared that "In the past . . . Southern Rhodesia had pursued a policy roughly similar to that of South Africa, but with the establishment of Federation the Europeans in Rhodesia had committed themselves to a new policy after much anxious consideration but with the deliberate intention of putting it into practice. The new policy was to help Africans to attain political power in the foreseeable future." [87] Such statements inspired optimism in certain circles of the Rhodesias and the metropole. Some assumed that success in achieving the new federation would encourage the dominant white community to fulfill their promises of progress. In part, these

hopes have been fulfilled. Sir Roy Welensky, when he was Deputy Prime Minister and Minister of Transport and Communications, announced that Africans "who are reasonably dressed and conform to civilized standards" will be permitted to dine alongside Europeans on Rhodesian railways. Furthermore, an African barrister has opened offices in urban Salisbury, a multi-racial university college has been opened in Salisbury, and Africans can now gain positions in branch two of the federal civil service, where they receive pay and conditions equal to those of the Europeans.

However, it is still too early to predict a dramatic forward step in race relations. The basic pattern remains basically unaltered. This can be seen in part in the voters' repudiation of former Prime Minister R. S. G. Todd in the 1958 elections in Southern Rhodesia and in part in the cautious remarks of travelers such as Patrick Monkhouse, who observed: "Where there is so much to admire, one regrets to find so little advance in the cordiality of race relations. There have been no disastrous backslidings. The sins are those of omission. The once hard-worked word 'partnership' rings hollow to Africans and is shrugged off by many Europeans." [88]

White men are virtual strangers to Central Africa. They have no long tradition of settlement or rule. Now their numbers are multiplying and their position is becoming more securely entrenched. They are anxious that their country be accorded international respect commensurate with its stature. They are eager to be free of metropolitan controls, preferring to regulate, without check, their own affairs. They see problems in commerce, economic development, immigration, defense, and race relations from a wide geographical view and wish to deal with them without the delays and limitations of external control. They also find territorial boundaries too circumscribed—hence their urge to expand. The logical move in the 1950's was toward like-minded communities which shared British traditions. South Africa was excluded primarily because of its championship of Boer nationalism. Instead the two Rhodesias and Nyasaland followed an independent course. This was dictated by requirements of an economic and population nature; it was further dictated by liberal British traditions, such as respect for individual worth based on accomplishment, and respect for alien group cultures.

The British community of Central Africa was surrounded on all sides by peoples not in complete sympathy with their independent attitudes on trade, politics or race relations. An island people might feel a certain sense of security from behind the protective walls of a neutral sea. But British Central Africans could find no such luxury. Africans from the Gold Coast exposed their inegalitarian practices

on the one hand and South Africans claimed a betrayal of racial solidarity on the other. Meanwhile, the Africans among them displayed a telling ingenuity in politics, fighting vigorously against federation. The strength of their appeal frightened white Rhodesians with a spectre of imminent "Gold Coastism." The white population closed ranks in an effort to erect a solid foundation upon which they might create a secure, stable and rewarding milieu in which to operate.

Federation, in essence, was not the product of unhurried men. Its proponents urgently strove to form a "sea of sanity," to stabilize a region sensitive to any changes in pressure on the African continent. They feared the loss of time and the loss of an opportunity which, once gone, might never happen upon the scene again.

In some respects the Rhodesian experience brings to mind the Philadelphia Convention of 1787. At that time, the American founding fathers had come to fear the prevailing instability of life under the Confederation. They were called to Philadelphia, charged with the task of proposing amendments to the Articles of Confederation. The product of their secret sessions, however, was not a list of suggested revisions, but a new constitution embracing relatively new concepts of government. As is all too readily overlooked today, this document did not receive universal acclaim upon being revealed to the general public. On the contrary, an impassioned opposition formed around such dynamic leaders as Albert Gallatin, Patrick Henry, and Samuel Adams. These men fought vigorously against what they considered to be the illiberal tendencies of Federalist hegemony. Yet they fought a losing battle. For not only was the Constitution accepted by the electorate—even if unenthusiastically—but it was, with the passage of time, to be adapted to include the very democratic practices and objectives which the early radicals so wished to see incorporated at the outset. "They opposed what was to become a great success and they have often been condemned unheard." [89]

In the case of the Federation of Rhodesia and Nyasaland, time may be able to obfuscate the tensions which accompanied its birth. Its American counterpart offers a hopeful precedent. However, the obvious differences between the two federations make any predictions on this rather futile. Racial bitterness continues to threaten the very existence of the Federation of Rhodesia and Nyasaland—and this is intensified by frictions at the international level. Furthermore, it is very doubtful that the overwhelming percentage of the subjects of the Federation of Rhodesia and Nyasaland feel a sense of loyalty to their new state at this point. This, after all, is the acid test of multi-racial partnership. If a real partnership is established, there is reason to expect that the Central African Federation will flourish. "Though born

of fear and frustration," Mr. Lester Pearson said of the NATO Treaty, it "must lead to positive social, economic and political achievements if it is to live." [90] His point is equally applicable to the new Federation of Rhodesia and Nyasaland.

PART FOUR: WEST AFRICAN FEDERALISM

CHAPTER VIII

THE GROWTH OF NIGERIAN UNITY

"Nigeria may have been a geographical expression yesterday, but today Nigeria is an historical reality and this assertion cannot be controverted."—Dr. Nnamdi Azikiwe.[1]

Nigerians are striving for unity today as they have never done in the past. They know they must present a united front to British officialdom if they are to gain independence in 1960. What is involved in a demonstration of Nigerian unity is far more than agreement among its leaders on the question of a date for self-rule. These leaders have already collaborated through their parties in the House of Representatives to the extent of passing two unanimous resolutions instructing the federal delegates to the 1957 and 1958 Constitutional Conferences to demand independence for Nigeria within the British Commonwealth in 1959 and in 1960, respectively.[2] And there is little doubt that they could agree on another such proposal at short notice. Rather, what is involved here in the concept of unity is a sense of common purpose and common fate which must pervade the atmosphere of the entire country. The "little platoons" have their place—and a valuable one at that—but they must fit snugly into the framework of a united Nigeria if the plague of separatism is to be avoided in the years ahead. This then is the challenge which Britain poses the leaders of Nigeria today: Can the nation of Nigeria survive intact once Her Majesty's control is removed? As soon as Nigerians demonstrate an ability to cooperate despite their differences, Britain will have little cause to tarry and can be expected to withdraw in good faith as she did in Ghana. Nigerians may not exercise sovereign powers at this moment, but they are, nonetheless, the masters of their own fate.

Nigeria's lack of unity is a consequence of such factors as the territory's vastness, its geographical and climatic variations, and its linguistic, racial, and religious diversities. With an area of 372,674 square miles [3] and a population estimated at 31,180,000,[4] Nigeria looms large as a potential force both on the African continent and in the

British Commonwealth. But the human differences only become apparent once note is taken of the forty main and hundreds of minor tribes and sub-tribes included within this total.[5] Largely for the sake of administrative convenience these many aggregates have been grouped into three regions (and the Southern Cameroons), each displaying "a core area with a marked degree of ethnic homogeneity and a high level of economic development, and a peripheral area, thinly inhabited by a variety of minority peoples and often at a lower level of economic development."[6] Thus the Hausas and Fulanis predominate in the North, the Ibos in the East, and the Yorubas in the West. Moreover, Mohammedanism flourishes in the North; Christianity, Mohammedanism, and paganism exist side by side in the West; and Christianity and paganism predominate in the East. A number of the Yorubas and Ibos have spread over into other regions, giving rise to a sort of irredentist problem. Other significant tribal units such as the Kanuri, the Ibibio, the Tiv, and the Edo are included within the three regions mentioned above. In effect, this gives rise to a problem of "self-determination" as real as that of the four major tribes *vis-à-vis* the British. Nigeria, in fact, has the makings of a minority problem which by comparison makes pale those in the Western world. Yet if Nigeria can surmount the difficulties posed by such extreme variations, it may well avoid the unnecessary uniformity—and perhaps even the spiritual drabness—which so often characterizes the more aggressive forms of nationalism in the twentieth century.

Nigerian nationalists can certainly point with pride to past accomplishments of their country (such as the Ife bronzes); but this sense of national pride and consciousness rests on an indebtedness to British Imperial power for welding together what is now Nigeria. Nevertheless, few politicians have cared to expound at length upon this uncomfortable indebtedness with the frankness shown by the Premier of the Western Region, Chief Obafemi Awolowo. In a speech to Nigerian students at Saint Pancras Town Hall in London, he thus recalled the facts of Nigerian history: "(1) that Nigeria is a British creation. (2) that Nigeria consists of multiplicity of races who are as different from one another as races of Europe. . . . (3) that for about 43 years past, British have striven to unite all these diverse peoples . . . and to infuse in them sense of common nationality. (4) that for upwards of 60 years, British people have maintained in Nigeria a stable, progressive and orderly government."[7]

Chief Awolowo's statement goes far to sum up the British record of nation-building in Nigeria. That record stretched back to the comparatively recent date of 1861 when Her Majesty's Government

annexed Lagos because, as the Foreign Secretary observed in a dispatch of that date, "they are convinced that the permanent occupation of this important point in the Bight of Benin is indispensable to the complete suppression of the Slave-Trade in the Bight, whilst it will give great aid and support to the development of lawful commerce, and will check the aggressive spirit of the King of Dahomey, whose barbarous wars, and encouragement to slave-trading, are the chief cause of disorder in that part of Africa." [8] With that initial foothold secured, British mercantile interests expanded their trade all along the water routes to the interior. A network of trading stations was spread deep into the heartland of Nigeria.

Meanwhile British officials concluded treaties of protection with the chiefs of the Oil Rivers and with those along the banks of the Niger and Benue Rivers, as well as with the powerful Mohammedan sultans of Sokoto and Gando. By 1885 these treaties extended over such a wide range that the Berlin Conference had little choice but to recognize the British claim to Nigeria. Thus having secured a free hand from their German and French rivals to organize the land of the Niger into any political unit or units they pleased, the enterprising British turned cautiously to their task of forming a Nigerian nation.

By 1886 Nigeria consisted of three political divisions. First, the Colony of Lagos and its protected territory to the east and west formed a separate entity under a British Governor. Second, the protectorate initially known as the Oil Rivers Protectorate united the coastal area from west of the Niger Delta to the Cameroons. This was enlarged and renamed the Niger Coast Protectorate in 1893, being governed by Consuls and Vice-Consuls under the direction of a Consul-General with headquarters at Old Calabar. And third, the Royal Niger Company, under the leadership of Sir George Goldie, administered those parts of the vast hinterland contacted in the course of its mercantile operations. This combination of "commercial profit with administrative responsibilities" [9] did not prove wholly satisfactory to the Foreign Office, which was instrumental in revoking the Company's charter, with compensation, in 1899.

Once the Chartered Company relinquished its political rights, the British Government was able to take a more active part in arranging Nigerian affairs. Two indications of a more vigorous interest were the transfer of Imperal authority from the Foreign Office to the Colonial Office and the simultaneous proclamation, on January 1, 1900, of the establishment of the two Protectorates of Northern and Southern Nigeria. Each protectorate was to be administered by a High Commissioner appointed by London, and in all matters each of the two High Commissioners exercised separate political control.[10]

In 1906 this process of integration was carried one step further, for the Colony and Protectorate of Lagos was amalgamated with the Protectorate of Southern Nigeria, with Lagos acting as the seat of government. And some eight years later this process of enlargement moved forward with the amalgamation of the two protectorates into one Nigeria.

Because of the importance of this latter amalgamation, it will be observed in greater detail than the previous steps toward unification. In April, 1912, Sir Frederick Lugard took charge of the two separate administrations of Northern and Southern Nigeria simultaneously. He submitted his proposals for the amalgamation of Nigeria in May, 1913. These proposals were accepted in September of that year, and on January 1, 1914, the new Government of Nigeria was proclaimed.[11]

In proposing amalgamation Lugard was prompted in the main by reasons of administrative efficiency. He noted a growing divergence in railway policy, with the two outlets to the sea in "acute competition."[12] And he sought an escape from the burden of an annual subsidy for the Northern Protectorate at a time when the South showed an annual surplus sufficient to cover the North's deficit. Consequently, he advised that control over such general matters as finance and railways be centralized. In making this change, Lieutenant-Governors were appointed to administer the affairs of the former protectorates, which were now renamed the Northern and Southern Provinces of Nigeria.

In form Lugard's scheme appeared as unitary government; but in actual practice such wide powers were assigned to the respective Lieutenant-Governors that some observers deemed the scheme, in its application during the 1920's, to be federal in design.[13] Lugard himself described decentralization as a vital principle characterizing the growth of a wise administration.[14] "The truest principle of decentralization," he maintained, "was to make the area placed under a Lieut.-Governor so large and important that the officer appointed to its charge could relieve the Governor of all the routine functions of administration, leaving him to direct the general policy, initiate legislation, and control those departments which must necessarily be centralized."[15] Indeed, from 1914 until after the Second World War, administration of such matters as Native affairs, education, and police was largely carried out at the provincial level. There was, of course, little need for a formal allocation of powers between the various governments since the entire administrative apparatus was under the control of the Colonial Office. Nevertheless, in actual practice, a division of functions was made which was federalistic in manner.

For Sir Frederick Lugard the amalgamation of Northern and South-

ern Nigeria proved a notable success. It provided trade with a "great impetus," as customs barriers were abolished within Nigeria and the railroad and river depot systems were unified.[16] Politically, the period between World Wars was one of marked quiescence.[17] A Nigerian Legislative Council was created by an Order in Council in 1922 with little outward effect upon the life of the territory as a whole.

While this Council proved useful to the Governor as a means of contact with indigenous opinion, it was of minimal utility in respect to policy formulation. Its sphere was limited by the wide powers devolved upon Native Authorities as well as those retained by the Governor.[18] The Council was further discouraged by the fact that a majority of its members were appointed officials, by the fact that its meetings were infrequent, and by the fact that its authority was limited in area to Lagos and the Southern Province (the latter being divided into the Eastern and Western Provinces in 1939).

With the addition to Nigeria of that part of the Cameroons placed under British mandate after World War I, the process of physical enlargement came to an end. During this stage the area to be included in Nigeria was continually increased by British officials, primarily to enhance the administrative efficiency of their rule. This increase in area was made possible by the existence of contiguous British administrations and by the supremacy of Imperial power rather than by any indigenous form of nationalism.

The success of these amalgamations imposed from above by alien rulers did not mean, however, that Nigeria had developed into one united nation. This was not the fact. Since loyalties remained strictly localized up into the post-World War II period, any exodus of British administrators would have tempted a split in the country not unlike that which occurred in India following its achievement of independence. A period of consolidation was essential in order to avoid this type of partition in Nigeria. If Nigeria was to be built into a single entity which would remain together once independence was granted, a continuation of British administration was necessary. This latter period of consolidation prior to granting independence was part and parcel of an enlargement process, even though more subtle in its operations. During this period, the administration had the difficult task of inspiring the peoples throughout the territory to identify themselves with Nigeria while at the same time not imposing an artificial uniformity on those involved. This task has become more pressing with the approach of independence, for it is at this juncture that centrifugal forces can wreak the greatest havoc.

Thus at this important transitionary period, any means that would accommodate certain purely local objectives while maintaining the

whole intact is likely to prove of great value. The two means most commonly resorted to are administrative devolution and federalism. Where devolution fails to offer lesser groups the security and local control they are seeking, a federal system seems a valuable alternative, since it partitions the power of the state on a permanent basis among a number of coordinate governments. By offering long-term power with respect to a limited sphere of activities, it enables groups which might otherwise demand independence to remain within the union. Thus, in Nigeria, federalism has come to complement the process of enlargement, for it has made Nigerian unity possible during a period of increasing self-government by accommodating that territory's diversity. Nigeria presents the problem, Arthur Creech Jones writes, "of welding together in a single territory peoples of different tradition and culture, such as the Hausas of the North, the Yourubas in the West, and the Ibos to the East. Over and above these, on the plateau of Jos, there is a considerable pagan population as well. It is to meet this problem that the federal form of organization in the recent constitution was created." [19]

With the termination of World War II, Nigeria's new Governor, Sir Arthur F. Richards (now Lord Milverton), recognized the patent need for constitutional reform in that dependency. He therefore worked out a new constitution which attempted, by the creation of Regional Councils for the Northern, Eastern and Western Provinces, to associate Nigeria's various peoples more closely with the workings of their own government. Thus the approach to self-government became an approach to federalism as well. That this was a continuation of the process of building up Nigeria was remarked upon by the former Governor of Nigeria, Sir Bernard Bourdillon, who said that the grouping of Nigeria into regions represented "not the division of one unit into three, but the beginning of the fusion of innumerable small units into three and from these three into one." [20]

While Sir Arthur Richards made no mention of federalism in his constitutional scheme as presented, there was, nevertheless, such a large measure of devolution as to make the growth of a true federal system a logical possibility for the future.[21] The creation of embryo regional governments seemed to encourage further grants of power in the new constitutions which were formulated in the following years. As Britain assigned a larger and larger share of the administrative and policy determining functions to Nigerians, it built up the regional governments as well as the center, though at times this did take place at the expense of the center. By 1954 this process had reached the point at which it was quite accurate to say that a full-fledged federal system was in operation.

It is important to note that this outcome was by no means inevitable. However, it did proceed logically from the heterogeneity of the peoples included in the federation and from the consistent policy of enlargement which British administrators have practiced there since 1861. It is quite accurate to take a more limited perspective and to see the increase of regional powers in the post-World War II period as one of devolution,[22] but if one takes the over-all picture of this era of British rule in Nigeria into account, then the whole era cannot be judged but as one of the growth of a disunited people toward unity.[23]

CHAPTER IX

FEDERALISM IN NIGERIA

> "Federal government, after all, does not stand for multiplicity alone. It stands for multiplicity in unity. It can provide unity where unity is needed, but it can ensure also that there is variety and independence in matters where unity and uniformity is not essential."—K. C. Wheare.[1]

Sir Arthur Richards (Lord Milverton) recalls that at the time he went to Nigeria he found the existing Constitution to be "obviously out of date."[2] The Northern Province, which included more than half of the area and population of the territory, lay outside the Nigerian Legislative Council's jurisdiction, and the people of the Western and Eastern Provinces were inadequately represented. Unless the Government fostered collaboration between the different sections of the dependency, in addition to more direct links with the Native Authorities, he felt he could not vouch for the future unity of Nigeria itself.[3] Accordingly, Governor Richards proposed to establish a new constitution; to this end he sought to achieve the following three objectives: "to promote the unity of Nigeria; to provide adequately within that unity for the diverse elements which made up the country; and to secure greater participation by Africans in the discussion of their own affairs."[4]

Because indigenous institutions differed so fundamentally in Nigeria, Governor Richards determined from the outset that his system would have to spread power over a wide number of authorities. However, the form which this decentralization would take depended to a large extent upon his own particular preferences and emphases. Because he concluded that Nigeria fell naturally into three regions, it followed inevitably that his scheme would follow along tripartite lines. This was probably the most momentous decision of his Constitution. For since that time minority groups have made repeated assaults upon this schematic arrangement; but, except for the special case of the Southern Cameroons, they have met with little success.

The Richards' Constitution established Regional Councils with unofficial, African majorities in the three provinces. The Northern Council comprised two chambers—a House of Chiefs and a House of Assembly, while the Eastern and Western Councils consisted solely

of a House of Assembly. The Regional Councils were clearly subordinate to the central government, as demonstrated by their lack of legislative powers. They were assigned both financial and legislative responsibilities, however. They were to render advice upon all bills other than those introduced under certificates of urgency or those purely formal in nature, and, in particular, they were to debate the regional budgets in detail.[4]

To all intents and purposes governmental power was still concentrated at the center and in the hands of the Governor-in-Council. The functions of the Legislative Council, like those of the Executive Council, were much as they had been under the 1922 Constitution. Furthermore, the African unofficials were still not permitted to initiate legislation, a factor which tended to detract from the importance of other more generous grants such as that of an unofficial and African majority. The Legislative Council, therefore, was unable to catch the imagination of the more progressive elements among the Nigerian people, who turned more and more to extra-parliamentary agitation in an effort to speed political advance.

It is certainly too much to contend that the Richards' Constitution was unpopular throughout the length and breadth of Nigeria. This was far from the case. The traditional authorities in the Northern and Western Regions, for example, looked with favor upon the creation of Regional Councils, and they backed the Constitution with some enthusiasm. Along the Nigerian coast, however, it was a different story. Here the National Council of Nigeria and the Cameroons (the N.C.N.C.) campaigned vigorously against the new Constitution.[5]

Dr. Nnamdi Azikiwe, the N.C.N.C.'s leading figure, published a pamphlet criticizing Governor Richards' proposals in detail, led a delegation to London (which returned empty-handed), and refused, along with the other two members from Lagos, to attend the meetings of the first session of the new Legislative Council.[6] The pamphlet, entitled a *Memorandum on the New Constitution of Nigeria,* is of special interest since it not only presented the usual catalog of African grievances with respect to the new Constitution, but it made constructive suggestions as well. It stated that Africans should share in the management as well as the discussion of their own affairs, that the House of Chiefs should exercise consultative powers only, that Native Authorities should be counted as official members of the Legislative Council, that the system of nominated members is an anomaly, and that greater use should be made of direct election by ballot instead of indirect election through electoral colleges. Apropos of the federalistic aspects of the Constitution, the N.C.N.C. warned that "due consideration has not been given to the dual nature of the Dependency

of Nigeria (1) as a Protectorate and (2) as a Colony. We suggest that (a) the regional councils (Houses of Assembly) should have full legislative jurisdiction over their respective areas, in the Protectorate of Nigeria, (b) the legislative council of Nigeria should legislate for the Colony of Nigeria, but in matters of *defence, currency* and *foreign affairs* the Legislative Council of the Colony, as a legislature of the protecting state which exercises suzerain rights over the Protectorate of Nigeria, should legislate for the Northern, Western and the Eastern Provinces (including the Cameroons under British Mandate)." [7]

Thus, the N.C.N.C. criticized the Richards' plan for not devolving sufficient powers upon the three Regional Councils. While decrying any plans for "rigid regionalization," [8] they were not opposed to assigning meaningful functions to the new regional authorities. Still, they insisted throughout that the tripartite division of Nigeria encouraged tribalism and, therefore, disunity.

On one point all critics and a large number of supporters were agreed. The Governor had blundered in not consulting politically prominent Africans before thrusting the Constitution in completed form upon the Nigerian scene.[9] It was not sufficient by the war's end merely to consult with a few of the major chiefs and then to push the Constitution through the Legislative Council in a single meeting.[10] This was to tempt nationalist agitation. And in a surprisingly brief period such agitation was to prove the Constitution's undoing.

By 1948 the Colonial Office appointed a new Governor for Nigeria. Shortly after taking up this post, Sir John Macpherson moved swiftly to reduce existing tensions. In a tactful statement to the Legislative Council, he proposed a complete review of the Constitution. He noted that its founders had intended that the Constitution should, notwithstanding limited changes, remain in force for nine years.[11] Now he declared that the progress already made had been "so rapid and so sound" that he felt justified in proposing an earlier review with an eye to introducing a new constitution at the beginning of 1950.[12]

Accordingly, on March 11, 1948, a Select Committee of the Legislative Council was set up in order to make recommendations to the Governor regarding steps to be taken for a review of the Constitution, with special reference to the methods to be adopted for ascertaining popular views on the issues involved.[13] Less than two weeks later this Select Committee reported back its unanimous recommendations.[14] Instead of providing for a constituent assembly, the Select Committee decided to reach down to the "grass roots" of Nigerian

society before working upward to a General Conference. The whole review would take place by stages. Thus District Councils would discuss constitutional problems with the people. They would send representatives to Provincial Councils which would hold discussions prior to sending representatives to Regional Councils. These, in turn, would consider the matter along with the members of the regional legislatures. After the Regional Conferences had each drawn up their recommendations, they would elect members to a Drafting Committee and a General Conference. As soon as the Drafting Committee reported its proposals, the General Conference, consisting of the members of the regions and all the members of the Legislative Council, would meet to consider the Drafting Committee's report. Its conclusions would be debated by the regional legislatures and the Legislative Council before final submission to the Governor and the Colonial Secretary for approval.[15]

When the recommendations of the conferences held by Lagos and the three regions were published in 1949,[16] the depth of their disagreement was revealed for the whole world to see. All four conferences agreed at the outset that a federal system should be established; this, however, was the only major point of unanimity. For while the North suggested that the number of representatives in the central legislature from the Eastern and Western Regions should not together exceed the number of representatives from the Northern Region, Lagos recommended that the three regions should be represented equally. Although the Northern, Western and Lagos Conferences favored merging Lagos and the Colony with the Western Region for legislative and administrative purposes, the Eastern Region resolved, "That the rural parts of the Colony should be added to the Western Region, but Lagos urban area, as the capital city of the country, should be separate from the Regions, with its Town Council and direct representation to the House of Representatives." [17]

On the question of electoral systems, there were strong differences, with the North wishing to continue the present system, the West preferring electoral colleges organized by the Local (Native) Authorities, and the East calling for one member to represent each Division and for direct elected representation of Lagos, Port Harcourt, and Calabar. Moreover, even though the East advised that all adults be entitled to vote, the West and Lagos recommended tax qualifications and the North preferred to limit the franchise to males of twenty-five years or over. With regard to the central executive, opinions were as divided as ever. The North was content with an advisory body which included a hard core of officials in the most responsible positions; the West looked to the establishment of a responsible federal

cabinet including a Prime Minister and ministers elected by the central legislature; and the East talked of an executive consisting of the Governor and ten ministers, seven of whom were elected by the central legislature from among its own membership. But no conflict of interest threatened to cause more ill will than the North's recommendation that each region should receive grants from the central government on a per capita basis of population for all revenues not declared as accruing from a strictly regional source.[18] This would benefit the North at the expense of the more prosperous but less populated South, which could hardly be expected to welcome such a proposal enthusiastically.

After the various regional recommendations were published, the Drafting Committee, which included eleven members elected by the Regional Conferences in addition to the Chief Secretary, the Financial Secretary and the Attorney-General, prepared its report for submission to the General Conference. The General Conference met to consider this report in January, 1950. In all, the General Conference consisted of fifty-three members: twenty-five non-official members of the Legislative Council, twenty-five other members drawn from the regions, and three nominated non-official members of the Legislative Council. The Attorney-General presided over this impressive gathering, but he exercised no voting privileges.

Since the members of the General Conference were primarily regional rather than national representatives, it is hardly surprising that their speeches reflected the regional attitudes already noted above. Many of them came to Ibadan prepared to do battle, with the result that little compromise took place on major issues. There was an "atmosphere of fear and distrust," as one member described it.[19] Hence the outstanding points of difference which had to be settled before the 1951 Constitution could be promulgated were thrashed out not in open session but in the seclusion of a legislative committee room several months after the General Conference had left Ibadan.

Intense differences of opinion occurred over six major issues: the inclusion of Lagos into the Western Region, an increase in the number of regions, the advisability of a commission on boundary changes, the formula for regional representation at the center, the basis of the franchise, and the principle by which the regions might share in the proceeds from taxation. For administrative and legislative purposes, the representatives of the Eastern Region opposed including Lagos in the Western Region, although they found little support from the other delegates while the debates were in progress. Eastern delegates such as Mazi Mbonu Ojike suggested that Lagos be given a

"unique status," while conceding that the "appendages" of the Colony should be handed over to the Western Region for purposes of a compromise.[20] In the end this "compromise" formula was accepted, but at the cost of very hard feelings in the West.

Soon after the Conference opened, an attack was made on the wisdom of dividing Nigeria into three strong, self-sufficient regions. If the parallelism of North and South "is based on religion and race or class," warned Eyo Ita, who advocated splitting up the North, "it must produce communalism which was the poison of India and destroyed its unity." [21] This fear of what some delegates termed "Pakistanism" was expressed time and again, but it made few inroads at the Conference, since vested interests had already grown up around regional borders. Therefore any attempt to split existing regions into two or more new units met with little real encouragement from the leading elements within each delegation.

Suggestions concerning boundary revisions were also discussed at the Conference. Hence one Western delegate advised that a boundary commission be set up to enquire into the question of whether the peoples with Yoruba affinities, such as those in the Kabba Division of the Northern Region, wished to remain in the North or to be attached to the predominantly Yoruba region of the West. In response, Malam Iro Katsina of the Northern Region bluntly rejected the idea of a boundary commission. The North, he contended, could see no reason why such an investigation should be carried out, since recent conferences at all levels had recommended that the Northern Region should remain intact.[22] Under such circumstances the best that the Conference could recommend was that the question of boundary revisions "should be left in the hands of His Excellency the Governor to examine and make arrangements for their settlement as early as possible." [23]

No question received more attention from the Conference members than the formula for regional representation in the new House of Representatives. The Drafting Committee had recommended a ratio of 30:22:22—a compromise between the one-third: one-third: one-third apportionment demanded by the East and West and the one-half: one-fourth: one-fourth apportionment advocated by the North.[24] Although, throughout the sessions, there was sentiment among the Easterners and Westerners in favor of equal central representation for the three regions,[25] by and large the speakers from these regions resigned themselves to the compromise ratio proposed by the Drafting Committee.[26] On the other hand, Northern spokesmen remained adamant in their demand for fifty per cent representation. Malam (now Alhaji) Abubakar Tafawa Balewa, the North's leading spokes-

man in the central legislature and now federal Prime Minister, declared: "People speak of the fear of the North being dominated by the South, but at the same time they should speak of the fear of the South being dominated by the North. We are being told many times that it is impossible to put the Northern Provinces in a dominating position in the Legislative Council. Well, I will say—*vice versa*. We do not ask anything which is not reasonable. If we work on the population basis, the North will get more than 50 per cent, according to the present figures we should get 59 per cent, but we have come down and we say, well, we are asking for 50 per cent." [27]

When the Conference made its recommendations the Northern delegates received a severe but temporary setback in their struggle to gain equal representation with the other two regions combined. The Conference proposed that a House of Representatives should sit at Lagos and should consist of forty-five members from the Northern Region, thirty-three from the Eastern Region and thirty-three from the Western Region, in addition to two from Lagos, three appointed by the Governor to represent interests which in his opinion were not otherwise adequately represented, and the three Lieutenant-Governors, the Chief Secretary, the Financial Secretary, and the Attorney-General. The Northern delegates were incensed over this recommendation, and they recorded their displeasure by abstaining from voting on the three provisions regarding regional representation. They also gave notice that if the Northern Region were not accorded parity with the total of the other regions in the House of Representatives, they would dissociate themselves from the other recommendations of the Conference.[28]

On the franchise question, however, the North succeeded in gaining a concession from the more progressive elements at the Conference. Soon after the Conference session began, Mazi M. Ojike made a concerted effort to secure the vote for all Nigerians over the age of twenty-one. His labor was to no avail. The Conference recommended that universal adult suffrage be applicable only to the southern regions and that suffrage be restricted to males in the Northern Region.[29] In making this recommendation, the Conference was clearly giving special consideration to Northern sentiment. Their efforts in this respect were made easier by the flexibility inherent in the federal system.

And on the last point, a stalemate occurred over the means to be used in allocating funds to the regions. The Northerners pressed for a per capita basis, while the Southerners advocated the "principle of derivation." The gravity of this issue was impressed on the Conference by S. O. Awokoya of the Western Region. He predicted that if funds were distributed on a numerical basis alone, it would mean a

wide dislocation of the social services in the Eastern and Western Regions.[30] This the North did not wish, and, despairing any compromise solution, all parties agreed to submit the matter to an expert and independent enquiry.

Because the report of the General Conference left a number of problems unsolved, the Nigerian Government requested that another Select Committee of the Legislative Council be set up to finish the work of founding a new constitution. The new Select Committee reported its recommendations in April, 1950. It proposed to include Lagos in the Western Region but to safeguard its status as the capital of Nigeria by the passage of certain specified measures. Furthermore, the Select Committee proposed to break the deadlock over regional representation in the central legislature by establishing a bicameral system. The composition of the House of Representatives would be based on population, while that of the Upper House would be equal for the three regions.[31]

When this report was submitted to the Legislative Council it was approved by the members of that body, but not before Dr. Azikiwe had given its contents some telling blows. "Dr. Zik" criticized the Select Committee's report because it failed to create more regions, did not extend the system of direct elections based on universal adult suffrage to all those provinces desiring such a system, continued to provide for representation of "special interests," and made the House of Chiefs in the Northern Region into more than a consultative body.[32] In support of his thesis that "the trend of public opinion in Nigeria is towards the creation of a federal system of government based on ethnic grouping."[33] Dr. Azikiwe drew extensively upon the opinions expressed by the 1949 Provincial Conferences. He asserted that eighteen out of a total of twenty-four provinces expressed a desire for at least some modification of the existing boundaries, along ethnic or linguistic lines. If the General Conference had attached more importance to the views expressed at the provincial level, he intimated that the type of federalism adopted might have been different from that which resulted when major emphasis was placed upon the regional recommendations. In summing up his own attitude on this matter, he stated: "I am opposed to the division of a great country like Nigeria with an area of 372,674 square miles and a population of about twenty-five million, into three regions, because it is an artificial creation and must inevitably tend towards Balkanisation and the existence of chronic minority problems. I suggest instead, the division of the country along the main ethnic and/or linguistic groups in order to enable each group to exercise local and cultural autonomy within its territorial jurisdiction."[34]

On July 15, 1950, the Colonial Secretary sent a dispatch to the Governor of Nigeria making it clear that the British Government was willing to accept the proposals agreed upon as of that date. However, he placed the responsibility for reconciling the remaining points of difference upon the Nigerian Government and people. The Legislative Council met in September, 1950, in order to complete the proposals for the new constitution, and it succeeded in reaching agreement on the difficult problem of the composition of the central legislature. On that occasion the North won a decisive victory, for the Legislative Council decided to establish a unicameral legislature with the representation of the North placed at parity with the other two regions combined.[35] James Griffiths accepted these recommendations for His Majesty's Government. He welcomed the agreement reached in Nigeria "as a good augury for the harmonious working of the new constitution." [36]

The 1951 Constitution, which was laid before Parliament on June 29, 1951, came into full operation some months later. At the central level, it provided for a House of Representatives composed of a President, six *ex officio* members, as many as six special members to represent interests or communities which in the Governor's opinion were not otherwise adequately represented, and 136 representative members.[37] The sixty-eight representative members of the Northern Region were elected by a Joint Council from among the members of the Northern House of Chiefs and the Northern House of Assembly. Thirty-one of the representative members of the Western Region were selected by the members of the Western House of Assembly from among themselves, and the other three members were chosen in the same manner by the newly-created House of Chiefs. All thirty-four representative members for the Eastern Region were elected by the members of the Eastern House of Assembly from among their own number.

The central executive body of the new Constitution was a Council of Ministers which superseded the former Executive Council. The Council of Ministers became responsible for all matters of policy as well as the conduct of all business in the House of Representatives.[38] It sat under the chairmanship of the Governor and consisted of six *ex officio* members and twelve ministers appointed from the membership of the House of Representatives.[39] Since each region was represented by four ministers, the principle of regional equality may be said to have entered into the Constitution by way of the executive rather than the legislature. This, however, was not without its drawbacks. For when Joint Councils in the Western and Northern Regions and the House of Assembly in the Eastern Region exercised the

power to approve the Governor's choice of members to represent their region, the result was a division within the executive along regional lines. In fact, the concept of collective responsibility could hardly have been expected to grow if a majority of ministers owed their positions to regional approval. Thus, when the first crucial conflict occurred at the central level, the Council of Ministers was found to be split against itself. This embarrassing situation was aggravated by the Constitution's failure to provide for a Leader of Government Business as in the Gold Coast.[40]

If the 1951 Constitution had any particular emphasis, it would unquestionably have been in respect to enhancing the powers of the regions. The various regional legislatures were authorized to make laws on such subjects as agriculture, education, cooperatives, regional public works, conservation, regional public services, local government, public health, police, Native Courts (subject to central legislation regarding appeals), local industry, and taxation to such extent as might be prescribed by or under any Order of His Majesty in Council.[41] A central law might add any additional matters to this schedule as well as "remove from the said Schedule any matter so added." [42]

There is little doubt that these powers which the Constitution assigned to the regions were far short of autonomy. Moreover, the British Government retained the power to make laws for the peace, order, and good government of Nigeria [43] as well as the power of disallowance.[44] And further, it was provided that regional legislation had to be submitted to the central executive for approval,[45] and that where "any matter is within the competency of the legislature of a Region, the power of the Central Legislature to make laws with respect to such matter shall not thereby be abridged, altered or in any way affected." [46] Thus the area of regional competency was restricted from the outset by the functions which were assigned, and this area of permissible legislation was further hedged by the superior powers reserved by the British Government and allocated to central authorities. Even so, it must be kept in mind that the 1951 Constitution marked a great step forward in terms of political responsibility for the regional governments as well as the central government.

The elections which took place following the proclamation of the 1951 Constitution were significant in that no leader or party scored a triumph on a national basis. This is not surprising, since the elections were both indirect and regional.[47] Nonetheless, it meant that Nigerian politics was to be regionalized for a long time to come, with

the result that a unified nationalist movement developed more slowly than in nearby Ghana.

The regionalization of Nigerian politics was evident in the decisive majorities won by the N.C.N.C. in the Eastern Region, the Action Group in the Western Region, and the Northern People's Congress in the Northern Region. The two latter parties were formed just prior to the elections, for the express purpose of giving vent to a regional outlook on politics. Thus, the Northern People's Congress was formed, as one Northern chief declared, "to protect the interests of the North,"[48] and the Action Group evolved from the Egbe Omo Odudua, a Yoruba cultural organization which "may be said to have as one of its objects the closing of Yoruba ranks against Ibo influences."[49]

Since each of these parties predominated in one region only, the Council of Ministers, which included four members from each region, was a composite of the three main parties on the Nigerian scene. This was a formula for weakness. Moreover, the decisiveness which the three party leaders could have brought to the central executive was denied to that body when they failed to enter the House of Representatives and thus the Council of Ministers. Mr. (now Chief) Awolowo chose to remain as the Minister of Local Government and Works of the Western Region; the Sardauna of Sokoto took the same position in the Northern Region; and Dr. Azikiwe, who resided in Lagos, was rebuffed in his bid for membership in the new central legislature by the House of Assembly of the Western Region, which was controlled by the Action Group. Consequently, the central executive exhibited marked instability from the outset. As a prey to every gust of political partisanship, it survived intact for only a year before being submerged by a tidal wave.

Early in 1953, an Action Group member from the Western Region proposed a motion in the House of Representatives to the effect that "this House accepts as a primary political objective the attainment of self-government for Nigeria in 1956."[50] Although the N.C.N.C. joined hands with the Action Group in support of the motion, it was turned down by the Sardauna of Sokota, who proposed to amend the above phrase by substituting the words "as soon as practicable" for "1956." Immediately after the Sardauna of Sokota made his proposal, the Northern members of the House of Representatives sought to gain Southern backing to adjourn debate on the original motion. Southern leaders refused to make any concessions, however. At this point, the Council of Ministers stepped into the controversy by deciding not to press for a division of the House on the motion until a later date. The Action Group Ministers, who had voted solidly

against this decision in the Council meeting,[51] were thus placed between the stand taken publicly by their own party and their sense of collective responsibility as members of the "Cabinet." Upon being ordered by the Action Group to resign from the Council of Ministers, they complied. By acting in this manner, these Western Ministers received the commendations of their constituents,[52] but they struck the Constitution a death blow in the process.

In London, Oliver Lyttelton, the Secretary of State for the Colonies, informed the House of Commons that the necessary steps would be taken to fill the vacancies left by the resignation of the four Western Ministers.[53] The situation, however, continued to worsen. In recognition of this fact, Lyttelton made the following statement on the Nigerian constitutional crisis in the House of Commons: "Recent events have shown that it is not possible for the three Regions of Nigeria to work together effectively in a federation so closely knit as that provided by the present Constitution. Her Majesty's Government in the United Kingdom, while greatly regretting this, consider that the Constitution will have to be redrawn to provide for greater regional autonomy and for the removal of powers of intervention by the Centre in matters which can, without detriment to other Regions, be placed entirely within regional competence. It is at the same time necessary to ensure that the common economic and defence requirements of all Regions are secured." [54]

In light of this statement the Governor, Sir John Macpherson, issued invitations on the Colonial Secretary's behalf asking representatives of each region to a conference in London for a full exchange of views on the method to be used in redrafting the Constitution. A number of Nigerian leaders hesitated to accept the invitations until assured by the Governor that the Conference agenda would be broad enough to include such topics as self-government. Subsequently, the leaders of the three major parties met with the Governor on June 19, 1953, to set up the terms of reference for the Conference. These terms included the question of self-government in 1956, but when accepting this item in the terms of reference the Secretary of State was careful to point out that "this should not be regarded as in any way committing Her Majesty's Government to this proposition." [55]

The Conference was held in London during July and August of 1953. Most of the outstanding political personalities on the Nigerian scene were represented in its delegation, which consisted of five members of each of the three major parties, two members of the National Independence party, one member of the Northern Elements Progressive Union, and a delegate from the Cameroons.

All the delegations concurred in the need for greater regional autonomy.[56] They therefore recommended that henceforth regional legislation should not have to be submitted to the central executive and that residual powers should be vested in the regional governments instead of at the center.[57] Accordingly, they proposed a central list which included such subjects as external relations, immigration and emigration, naturalization of aliens, defense and atomic energy, customs and foreign exchange, banking and public debt, mining, postal services, telephones and telegraphs, and central broadcasting. A concurrent list was also proposed; this included such functions as statistics, labor, insurance, research, water-power, national parks, industrial development, and the establishment of certain professional qualifications.[58] All these functions were later included with their respective lists in the 1954 Constitution.

The Conference proposed some major changes in the structure of the federal government. The federal legislature was to remain as a unicameral body; however, its membership was to be increased to 184 elected members (Northern Region: 92; Eastern Region: 42; Western Region: 42; Lagos: 2; and the Southern Cameroons; 6; and the number of *ex officio* members was to be reduced to three (the Chief Secretary, the Financial Secretary and the Attorney General). Elections to the federal legislature were to be distinct from elections to the regional legislatures. Moreover, the delegates saw no need for uniformity in electoral procedures among the regions. This meant that the Western and Eastern Regions would be free to experiment with elections based on electoral divisions, while the Northern Region would be able to use provincial electoral colleges if they pleased.[59]

In regard to the federal Council of Ministers, the Conference recommended a smaller executive body consisting of three *ex officio* members in addition to the three members from each of the regions. The Governor-General would appoint the ministers from the membership of the federal legislature, either upon the recommendation of the leader in that House of a party possessing an over-all majority or, in the absence of any majority party, on the recommendation of the leaders in that House from each region.[60] This proposal retained the principle of regional equality while excluding the regions from almost all participation in the selection of ministers. Nevertheless, it did little to create a unified "Cabinet," since regional conflicts would still be likely to appear within such a coalition executive until such a time as one party was able to secure a majority in each of the three regions.

When dealing with the structure of the regional governments, the

Conference eased its task from the very beginning by again agreeing that uniformity was not necessary. Thus in the Eastern Region, it provided for a legislature of eighty-four members (excluding those of the Southern Cameroons) and an executive consisting of a Premier and at least eight other ministers to be presided over by the Governor. The arrangement in the Western Region was to be similar, except that the special members were not to be withdrawn from the House of Assembly. And in the Northern Region, the existing system was to remain intact, although provision was made for the addition of a Premier and twelve ministers to the three *ex officio* members on the Executive Council.[61]

In the course of its proceedings the Conference took up a number of special subjects which deserve some attention here. It recommended that the regions should have their own public services and that the reserve and discretionary powers of the Governor-General and the Governors should be retained. The Conference did not press for self-government in 1956 when informed by the Secretary of State for the Colonies that he was not prepared to fix a definite date on this matter. The main reason he gave for this was that the Northern delegation refused to budge from its policy of self-government as soon as practicable. The delegates therefore made the most of the situation by accepting Mr. Lyttelton's declaration of policy that "in 1956 Her Majesty's Government would grant to those Regions which desired it full self-government in respect of all matters within the competence of the Regional Governments, with the proviso that there should be safeguards to ensure that the Regional Governments did not act so as to impede or prejudice the exercise by the Federal Government of the functions assigned to it now, or as amended by agreement in the future, or in any way make the continuance of federation impossible." [62]

The Conference also discussed two other special subjects—the position of the Cameroons and of Lagos. After discussions with the five representatives from the Cameroons, Lyttelton decided to wait until the Conference reassembled before disposing of the Cameroons question. This procedure gave the Conference a chance to see if Dr. Endeley's Kamerun National Congress secured a majority in the forthcoming elections in that area. His party favored separate regional status for the Southern Cameroons, even if the Northern Cameroons should wish to remain associated with the Northern Region. This breathing spell also gave the Fiscal Commissioner, who was to be appointed during the interim between conferences, a chance to report on whether or not the Southern Cameroons regional administration could pay its way without financial assistance from the rest of

Nigeria.[63]

As for the question of Lagos, the Conference was unable to come to a satisfactory agreement on whether this city should remain a part of the Western Region or be given a special status as the capital of the Federation. The Conference therefore unanimously invited the Secretary of State for the Colonies to arbitrate the matter. The delegates assured Lyttelton that, whatever his decision, they would adhere to it faithfully. Under these circumstances, the Secretary of State accepted this difficult assignment and decided that Lagos should become federal territory. Because he considered Lagos the commercial as well as the political capital of Nigeria, Lyttelton did not feel that "a move of the political capital would solve the problem with which we are faced or serve to set at rest the anxieties which the inclusion of Lagos within the Western Region under the present Constitution has caused to those [primarily Northerners] who see in it not only the Federal capital of Nigeria but also their principal commercial lifeline to the outside world." [64]

Although all the delegates had promised to adhere to Lyttelton's decision on Lagos, the Action Group reacted heatedly. It submitted a Minority Report protesting the decision and subsequently published a pamphlet entitled *Lagos Belongs to the West.* These measures were backed up by a motion passed in both Houses of the Western Region which asked Her Majesty's Government to reconsider the decision on Lagos and to modify it in accordance with the alternative proposals made by the Action Group.[65]

What the Action Group claimed on all three occasions was that Lagos was not the economic lifeline of the Northern Region, because other ports in the Eastern Region were also accessible to commerce from the North. Western spokesmen declared that their region would suffer serious economic consequences from the Lagos decision. "The majority of traders in the West buy their wares from Lagos," argued Chief J. A. O. Odebiyi, "and taxes on the profits would accrue to the Federal Government, whilst the West will become economically strangled." [66] Hence Lyttelton's decision was seen as "spiteful" [67] as well as a clear departure from the considerations which guided the Western delegates as they submitted the matter to his arbitration.[68] Their solution, in short, was to build a new and neutral capital elsewhere and to leave the Yoruba town of Lagos to Western administration. In the event the delegates to the resumed Conference failed to grant this, some Action Group members threatened secession. Thus the Oba of Lagos struck a particularly grim note as he quoted paragraph 34 of *Lagos Belongs to the West*: "To the people of the Western Region, however, Lagos is precisely what the head is to the body of

an individual. If membership of the Nigerian community would mean the cutting off of that head, they would prefer to keep out of Nigeria, and remain an independent member of the British Commonwealth of Nations, in the same way as Ceylon and New Zealand are. In other words, the surest way of driving the Western Region into demanding secession and asserting it in due course of time is to sever Lagos from it." [69]

With such ominous statements in the background, the Resumed Conference on the Nigerian Constitution held at Lagos in January and February, 1954, seemed certain to be highly factious in nature. The opposite was actually the case, however. Even though the Western Premier, Awolowo, pointedly refused to take part in welcoming Lyttelton at the opening meeting of the Conference, he announced that he did not intend to reopen the question of Lagos at the start of the Conference.[70] Instead, the Action Group delegation pressed for a discussion on the right of a region to secede from the Federation. The Conference decided to put off this question until August, 1956, when the next conference on the Constitution was to be held.[71]

As soon as the Conference decided not to reopen any of the decisions made in London, it was able to turn to a review of the Reports of the Committee on Marketing Boards, the Committee on the Administration of Justice, and the Fiscal Commissioner. All these Reports emphasized that the role to be played by the regions must be broadened. Thus they recommended the establishment of all-purpose Regional Marketing Boards possessing extensive powers, the regionalization of the administration of justice, and the provision of an adequate measure of fiscal autonomy for all the various governments in the Federation.

The Fiscal Commissioner's proposals, as modified by the Conference, distributed revenues as far as possible according to the "principle of derivation." For example, the regional governments would receive 50 per cent of all revenues collected from import duties (other than on petroleum products and tobacco), allocating it in the ratio of 30 per cent to the Northern Region, 29 per cent to the Eastern Region, 40 per cent to the Western Region, and 1 per cent to the Southern Cameroons. The whole of the net proceeds from import duties on petroleum products and 50 per cent of the import and excise duties on tobacco would be allocated to the regional governments on a basis of regional consumption as determined from returns on sales.[72] Other ratios were agreed upon for the allocation of export duties, the revenue from personal income taxes, the net proceeds from mining royalties, and the fees from various licenses. While these provisions assured each government a constant source of income, the federal

government's primary position as the financial backbone of Nigeria was little altered. Not only was the federal government still expected to assist a regional government which found itself in serious financial difficulties, but it continued as the main dispenser of grants for development projects which were primarily regional in nature.[73]

The Conference also dealt decisively with the Cameroons question. In the elections held in the Southern Cameroons in the period between the London and Lagos Conferences, Dr. Endeley's Kamerun National Congress won all thirteen seats. This election gave him a mandate to secure separate status for the Southern Cameroons (the Northern Cameroons still wishing to remain a part of the Northern Region). The Fiscal Commissioner's Report concluded, however, that "a Southern Cameroons Regional Government would not in the years immediately ahead be financially stable without external financial assistance."[74] It was mandatory for the Conference to find a half-way house between regional status and attachment to the Eastern Region. The compromise which the Conference accepted made the Southern Cameroons into a "quasi-federal Territory." The federal government would, under this arrangement, accept a contingent liability to assist the territory in the event it accrued deficits and in return would receive a guarantee that the government of the territory would be conducted on the soundest financial and economic principles.[75] The territory would have an Executive Council and a Legislature, the latter being empowered to make laws on matters in the concurrent list or those reserved to the regions. The Southern Cameroons would be represented in the federal legislature by six members and in the Council of Ministers by one member.[76] These provisions are of lasting significance, because they made the first breach in the tripartite division of Nigeria (Lagos being restricted to the role of a federal capital). From this time forward separatist movements were to make good use of this precedent.

On October 1, 1954, the amended Constitution[77] came into operation. The provisions which transformed the existing public service into a federal service and which created a federal-type court system consisting of five High Courts and a Federal Supreme Court did not, however, come into effect until later. What was established in 1954 was a system truly federal in design. The various governments (regional and federal) were coordinate in status and each had sufficient functions and sources of revenue assigned under the Constitution to make them highly responsible authorities within a constitutional framework. In the event of conflict between governments, a Federal Supreme Court offered a procedural means for the adjustment of claims. All that was needed to achieve self-government from this

point forward was a demonstration of deep-felt unity. Nigerians, themselves, understood this perhaps more clearly than anyone else. Dr. Azikiwe, for example, told the Legislative Council: "The revised Constitution can be made to work successfully provided that those who are concerned with its operation . . . make up their minds to render loyal service to the cause of one Nigeria. It is true that there will be increased regional autonomy, but that should give us the impetus to build up and to strengthen the Central Government for the unification of our country and for the integration of our diversities in our outlook, tradition, and culture." [78]

Following the Constitution's promulgation, the Sardauna of Sokoto became the Premier of the Northern Region, Dr. Azikiwe became the Premier of the Eastern Region, and Chief Awolowo became the Premier of the Western Region. Each of the regional governments appointed a Regional Commissioner in Great Britain. Furthermore, separate federal elections were held for the first time. In the North, the Northern People's Congress won 79 out of 92 seats. This victory made the Congress the largest single party in the new federal legislature, although it was still less than a majority party. The people of the Eastern Region, who voted on the basis of universal adult suffrage for the first time, filled 32 out of 42 seats with N.C.N.C. candidates. The Opposition, consisting of an alliance of the Action Group and the United National Independence party, secured seven seats, and independents gained three others. An upset of considerable importance occurred in the Western Region, where the N.C.N.C. took 23 of the 42 seats, the Action Group winning only 18, and an independent securing the remaining seat. There, voting was restricted to adult taxpayers only. Since the N.C.N.C. triumphed in both the Eastern and Western Regions, Dr. Azikiwe was able to exercise the privilege of nominating six N.C.N.C. members to the Council of Ministers.[79] Of course, the Action Group's majority in the Western House of Assembly was unaffected by this change of fortune at the federal level. However, in order to give substance to his party's claim for a predominant position on the Western political scene, Chief Awolowo asked the Governor to dissolve the Western House of Assembly. In the hard-fought election which followed, the Action Group emerged victorious by a considerable margin.[80]

The next Conference on the Nigerian Constitution, though planned for 1956, actually met in London in May, 1957. (The primary reason for the delay was the far-reaching import of the hearings being held by a Tribunal of Enquiry on allegations respecting Dr. Azikiwe's relationship with the African Continental Bank.) When the Conference finally did meet, the outstanding men of ten Nigerian political

parties or groups gathered at Lancaster House. They met in an atmosphere charged with expectancy. Their excitement stemmed in large part from the March resolution unanimously passed in the House of Representatives instructing the federal delegates to the Conference to demand independence in 1959.

At the 1957 Conference the Western and Eastern Regional Governments asked that the pledge to grant full self-government to any region which desired it (provided that there were safeguards for the federal system) be implemented following the conclusion of the Conference. The Northern Regional Government informed the Conference that it did not propose to ask for full self-government before 1959.[81] The Secretary of State accepted these different overtures as presented.[82]

What regional self-government meant, as interpreted by the Conference, was primarily a restriction on the powers of the Governor. Even though the Governor continued to be appointed by Her Majesty's Government, Mr. Lennox-Boyd made it clear that the regional government concerned would be consulted informally before any such decision would be reached. However, the Governor's powers were to be limited to a significant extent. The Conference provided that he should no longer preside over the Executive Council and that his "general powers not to consult with the Executive Council on certain matters and to act otherwise than in accordance with advice of the Executive Council and his reserved legislative powers should disappear, and in executive matters the Governor should act in accordance with the advice of Ministers." [83] He should appoint as Premier the person who appeared to command a majority in the House of Assembly and, on the advice of the Premier, should appoint the remaining ministers. Upon the advice of his ministers, he should assent to all bills passed by the legislature. However, it was provided that he should reserve any bill for Her Majesty's pleasure which appeared inconsistent with treaty obligations; which prejudiced Royal Prerogative, the rights of property of British subjects not residing in Nigeria, or the trade, transport or communications of any part of Her Majesty's dominions; or which contained provisions "which in the opnion of the Governor, acting in his discretion, might have the effect of impeding or prejudicing the performance by the Federal Government of any of its functions or endangering the continuance of federal government in Nigeria." [84] If any regional legislation did prejudice the federal government in the performance of its functions, the Governor-General, with the approval of the Secretary of State for the Colonies, could issue such directions to a region as seemed necessary to ensure that the executive authority of a region complied with the

general needs of the Federation.[85] In short, the pledge of regional self-government was fulfilled, but it was to be hedged with enough safeguards to ensure that the self-governing regions could pose no threat to the continued existence of the Federation.

On the question of independence for the Federation of Nigeria there was considerable disappointment in store for the Nigerian delegates and their advisers. At the beginning of the Conference the three regional Premiers and the Leader of Government Business in the Southern Cameroons submitted a memorandum proposing independence in 1959 along the lines of the March resolution passed in the Nigerian House of Representatives.[86] The Secretary of State for the Colonies took note of this memorandum and observed that he could not commit himself to a date for federal self-government until "much unfinished business" had been settled. He pointed out that regional self-government had not yet been fully tested and that the Reports of the Minorities Commission and the Fiscal Commission were still to be submitted. However, if, after the federal elections of 1959-1960, the various governments wished to renew discussions on this matter, he felt that they might confer with the United Kingdom Government to determine the processes by which Nigeria might attain self-government within the Commonwealth.

Because the Nigerian delegates pressed Lennox-Boyd for a more specific commitment on self-government, he made another statement which maintained that Her Majesty's Government would fix a date for independence after the Nigerian legislature debated and passed a resolution (sometime about January, 1960) calling for independence. He declared that, "We could not at this stage give any undertaking that the date would be the same date as asked for in the resolution, though we would do our utmost to meet the resolution in a reasonable and practicable manner." [87] On the following day the three regional Premiers and the Leader of Government Business in the Southern Cameroons jointly expressed their disappointment at the Colonial Secretary's unwillingness to commit himself to accept the date which the Nigerian legislature would set for independence sometime in 1960. "The year 1959 has been unanimously proposed by the people of Nigeria," they declared in a joint statement to the Conference, "and we have given consideration to a date in 1960 only because we appreciate that the solution to the various problems that must be disposed of before independence will take longer time than we had thought." [88] Since they had gone this far to meet Lennox-Boyd's request for more time, they felt the Secretary of State should have acceded to their united wishes.[89] One of their number, Dr. Azikiwe, expressed even more poignant irritation. Upon leaving the United

Kingdom in July, he told reporters that "The nebulous and chilly statements of the Colonial Secretary have left me and those who share my views to be vexatiously provoked and bitterly disgusted." [90] Such expressions indicate that, other concessions notwithstanding, a number of Nigerians judged Lennox-Boyd's stewardship of the Conference by his attitude on Nigerian independence. And on this basis they made some rather critical evaluations.

The Conference did a great deal to strengthen the federal government. First, it recommended the creation of an office of Prime Minister. Second, it suggested the appointment of a commission to make recommendations upon dividing the Federation into 320 single-member electoral districts. Such a provision might well result in the evolution of truly national parties capable of contesting elections on a nationwide basis. This, in turn, might encourage a more traditional type of parliamentary government than that which existed and would mean a greater emphasis upon national, rather than regional, issues. And third, the Conference provided that the Prime Minister should be free to recommend to the Governor-General for appointment to the Council of Ministers "any member of the House of Representatives, including any member representing a Lagos constituency, or of the Senate when this was established." [91]

The principle of regional equality was to be preserved, nonetheless, by the proposed creation of a Senate. This chamber would consist of twelve members from each region and from the Southern Cameroons, as well as four members from Lagos, four special members, a President to be elected from outside the Senate, and the members of the Council of Ministers who were members of the House of Representatives.[92] The regions were given wide discretionary powers in setting up the procedure for the selection of Senators, provided that the Senators met the qualifications of members of the House of Representatives (in addition to being forty years of age) and provided they were elected to office by the legislative houses of the region sitting together when two chambers were in existence.[93]

The Conference again considered the Cameroons problem. Since the establishment of the Southern Cameroons as a "quasi-federal Territory" in 1954, its Government had displayed a high degree of integrity and financial acumen. The care with which Dr. Endeley and his colleagues administered their affairs encouraged the 1957 Conference to recommend a further constitutional advance. It proposed to drop the term "quasi-federal Territory" and henceforth to designate the territory merely as the Southern Cameroons. In the future the territory's Executive Council was to consist of the Commissioner as President, three *ex officio* members, a Premier and at

least four other ministers appointed on the recommendation of the Premier. The elected membership of the House of Assembly was to be increased from thirteen to twenty-six and a House of Chiefs was to be created with advisory powers only.[94] Thus the Conference went a long way toward meeting Dr. Endeley's demand for "full Regional status." However, by making the High Commissioner ultimately responsible for its government and by maintaining the existence of the federal civil service and the Revenue Allocation Commission in the territory, the Conference placed the Southern Cameroons in a more subordinate position in relation to the federal government than was the case for the other regional governments.

Even though the (1958) Resumed Conference was to consider many of the problems left unsolved in 1957, it seems appropriate to note that the people of Nigeria must also resolve a number of other issues before independence can be granted, presumably some time in 1960. The clause which permits a Governor-General at his discretion and with the Colonial Secretary's approval, to issue instructions to the regions in order to safeguard the Federation is not likely to survive in the constitution of an independent Nigeria. Moreover, the Constitution contains no formal amending procedure and no Bill of Rights. The recommendations of the Regional Delimitation Commissions on electoral districts are yet to be made, and those of the Minorities and Fiscal Commissions must still show that they have public support. Over and above all these questions remain such basic problems as the continuing fear of domination on the part of various ethnic groups, secession, the regional orientation of the political parties, and the difficult task of encouraging a sense of Nigerian unity. Each of these last four basic problems will receive separate treatment, although it should be noted that they are, in fact, closely related to one another.

"One thing all the peoples of Nigeria have in common is a fear that they may be dominated by members of another region of the country."[95] It is this fear which has motivated much of the drive toward Nigerian federalism. The existence of diversity is not an explanation of the need for federalism. For unless there is a desire to preserve group uniqueness and a fear of submergence, then a unitary system would seem as appropriate for Nigeria as a federal system. It is the combination of diversity with a fear of domination that gives Nigerian federalism its impelling force.

The Northern Region is larger in size as well as more populous than all the rest of Nigeria combined; yet Northern politicians have betrayed anxieties over a link-up with the South time and again. For example, in 1953 members of both Houses of the legislature of

the Northern Region passed a motion opposing any attempt on the part of the South to fix a date for self-government in 1956. Speaker after speaker voiced his distress at the North's backwardness *vis-à-vis* the South. Northern politicians feared that if they should help to goad the British into leaving Nigeria by agreeing to a motion for self-government in 1956, then they would have to fill the vacated positions in the civil service of the Northern Region with Southerners. This, they feared, would open the way to Southern domination.[96] Hence they preferred to retain British rule until such time as the "Northernization" of their civil service had advanced further. Thus Abba Habib declared in the House of Assembly that the Southerners "are trying to seize this opportunity to dictate to us their will," since they realize they have a sizable trained staff for their public services, while the North is "appallingly short of such staff."[97] And in the Northern House of Chiefs, the Emir of Gwandu declared that the North would not be ready for self-government in 1956 "because Southerners are far ahead of us educationally."[98]

In 1957 the Northern position on the above had changed somewhat, as indicated by the unanimous vote in the House of Representatives for the March resolution on Nigerian independence. Nevertheless, this does not mean that Northern fears of the South were completely stilled. Malam Abubakar Tafawa Balewa, when announcing the decision of the Northern People's Congress to support the motion, observed: "Man at times . . . is by nature suspicious, and it is therefore natural for the people of the North, though greater than the South in numerical strength, to fear domination. (Some Members: No!) I am sorry to say . . . that those fears still exist and they can only be erased from our minds by the most sincere practical demonstration of goodwill and by the unselfish co-operation of the South. (Hear, hear.)"[99]

On the other hand, the people of the Eastern and Western Regions have given clear indications of fearing not only the North but each other. Their fear of the North is primarily a fear of its potential. Quite obviously the North will come to play a larger and larger role in the life of Nigeria. Its very size and population makes such a prospect seem likely, especially once its people are educated to the point where they can make use of their natural advantages. Southern leaders see all this and they are looking about anxiously for a means to head off Northern hegemony. Perhaps this means is already at hand, since the 1957 Conference adopted a recommendation which proposed to divide Nigeria into 320 equal electoral districts. Such a provision would work to the advantage of the Southerners at election time if they were able to win adherents to the Southern-based parties

—the N.C.N.C. and the Action Group. However, this revision could also boomerang if the more populous North remained staunchly behind the banners of the Northern People's Congress.

Another means Southerners have aired time and again for reducing Northern power in the Federation as a whole is to break the Northern Region up into two or more parts. Of all the plans put forward to create new regions, certainly one of the most ambitious is that of Premier Obafemi Awolowo of the Western Region. He has declared on several occasions that the establishment of thirty or forty regions in the whole of Nigeria is not out of the question in times to come.[100] His professed object is to give even the smallest ethnic group in Nigeria an opportunity to govern itself with respect to its own internal affairs. Still, it seems probable that such an extreme plan as Premier Awolowo's would radically alter the power configuration on the Nigerian scene today. His plan would create regions more limited in their scope of activities, and thus the federal government would necessarily emerge from the revision as the strongest political force in Nigerian life.[101] The very reasons (internal security, for instance) which caused Southern leaders to adopt federalism in the first place are likely to make them shrink from any such strengthening of the central government in the final analysis.

While the people of the West and the East are also wary of possible domination by one another, their mutual suspicion must not be overstressed. The Yorubas and the Ibos will certainly vie, but their clash of interests should not be mistaken for a fundamental antagonism.[102] Politically, the Yorubas have formed the Action Group in order to close ranks against what they see as aggressive, Ibo influences. The Ibos, in turn, have remained intensely loyal to the N.C.N.C. The rivalry of these two parties has been bitter—much like the rivalry of brothers. They have campaigned for support in each other's home bases, where they have gained some adherents, primarily among dissidents and minority groups. Each party has appealed to tribal loyalties in order to gain victory at election time, and they have not always held themselves back from belaboring acute fears of domination as they have pursued their ends. It is because these fears continue to be strong that the two parties remain regionalized. However, federalism may act to ease apprehensions in the long run. As this occurs, the Action Group and the N.C.N.C. will be likely to broaden their bases across regional lines even further. Such a process would spur both the unity and the well-being of Nigeria.

As already noted in another context, the question of more regions arose in part because of a fear of tribal domination and in part be-

cause of a desire to increase the power of the federal government in relation to the regions. At least one such separatist movement is active in every region. In the Northern Region, the United Middle Belt Congress seeks to form a "Central Region" composed of Benue, Adamawa, Niger, and the Plateau Provinces with parts of Zaria, Bauchi, Kabba, and Ilorin added. In the Western Region, a "Mid-West State" is proposed which includes Benin and the Delta area. And in the Eastern Region, a Calabar-Ogoja-Rivers movement is working to secure regional status for the area bearing its name.[103] Each of these movements raises great problems. First, the regions proposed are not always viable administrative entities in themselves. Second, their composition is sometimes extremely ambiguous. Third, there is no assurance that once separatism of this sort begins that there can be any end to the process in a land as heterogeneous as Nigeria. Fourth, there is a fear that the establishment of many more regions will cause further delays in the grant of Nigerian independence. And fifth, there is concern that the power of the central government might be too greatly enhanced.

It seems unnecessary here to trace the history of each separatist movement; however, it is imperative that the forces for and against separatism are understood. In May, 1950, the *West African Pilot,* which reflects N.C.N.C. opinion, observed in an editorial that in putting forward their demands, the Northerners "must first liberate the millions of Pagans and non-Muslim vassals of the empires. They also have a right to self-determination."[104] This call for self-determination has been repeated again and again. It is a forceful argument to the extent that it is based upon real or imagined grievances. Furthermore, it is a useful weapon. For as long as the Northern Region remains intact, it seems assured of a leading position in the conduct of affairs at the federal level. To break up the Northern Region means reducing its position both in relation to the South and in relation to the federal government.

Malam Ibrahim Iman proposed a motion in the Northern House of Assembly in March, 1956, to create a Middle Belt Region from part of what is now the North. He was quite frank as to his personal motives in presenting this motion. Not only did he see this as the will of the people in the area, but it fit what he called his nationalist aims: that no component part of the Federation be stronger than two or more of the others put together.[105] Significantly enough, the motion found only one supporter, and he openly stated his fear of domination by the people from the far North.[106] As might be expected, the other Northern politicians viewed Malam Iman's proposal with alarm. They spared no efforts as they heaped abuse on

Malam Iman and the cause for which he stood. Shettima Kashim, for example, attacked the motion because it would undermine the economic viability of the Northern Region, because it would result in a region based on the negative idea of aligning non-Moslem groups, and because it would mean duplication of legislative, executive, and administrative functions.[107] Moreover, he asserted that if the Northern Region were fragmented, it would be left "at the mercy of outside influences." [108] Finally the overwhelming majority of the House joined in rejecting the motion.[109]

With the approach of the 1957 Conference, the various separatist leaders girded themselves for an all-out struggle. In the House of Representatives, Mr. P. M. Dokotri declared that the United Middle-Belt Congress would welcome self-government for the Federation and its constituent units only when a central region was carved out of the North.[110] In support of this claim, the leader of the United Middle-Belt Congress, as well as the leaders of the other separatist groups, prepared a paper which was later presented to the Conference at London. The Conference discussed all these papers at length and concluded by agreeing to set up a Commission of Enquiry "to ascertain the facts about the fears of minorities in any part of Nigeria and to propose means of allaying those fears whether well or ill founded." [111] The Commission was authorized to recommend the creation of new regions only as a last resort. Then, before the United Kingdom Government was to agree to any recommendation for a new region or regions, it was to take into account the effect of their establishment upon existing regions and it was to be satisfied that "any such new State would be viable from both the economic and administrative points of view. . . ." [112]

The Minorities Commission arrived in Nigeria in November, 1957, and held public meetings throughout the country until April, 1958. It released its Report in August, 1958, thus leaving less than two months for public discussion prior to the resumption of the Constitutional Conference. The Commission concerned itself with four main aspects of the minorities question—separate regions, boundary readjustments, special and minority areas, and fundamental rights.

In some quarters it was expected that the Commission would recommend the creation of additional regions. However, the Commissioners felt that such a step would lead to a seemingly endless set of new minority problems. Furthermore, it might accentuate tribal differences and tend to slow down the pace of economic development.

Nevertheless, the Commission did recommend several measures, less drastic in scope, to allay the fears of minorities. It suggested that a plebiscite decide the dispute between the West and North as to

whether the predominately Yoruba people of the Ilorin and Kabba Divisions in the North should be attached to the contiguous Western Region or not. No plebiscite was proposed, in case the Resumed Conference failed to give general support to this procedure, and no transfer was recommended unless sixty per cent of the votes cast favored a change of regional allegiance.[113] The Commission also recommended that a Special Area be created in the neglected lands of the Niger Delta. A Board with a Federal Chairman would be established to stimulate improvements in communications and economic development. This Board would be temporary in nature and would terminate when "provision for development had gone far enough to make it possible for this arrangement to be abandoned."[114] Furthermore, the Minorities Commission proposed that Calabar Province in the Eastern Region and the major part of Benin Province in the Western Region be constituted Minority Areas. In each of these (and future) Minority Areas, a council would be established consisting of a chairman appointed by the regional government from the area in question and members selected by various local bodies. This council would have the dual purpose of encouraging cultural and economic advancement and of bringing any act of discrimination in the area to the attention of regional authorities.

Thus, the Minorities Commission took a broad approach to the problem at hand. It sought to foster Nigerian unity (and hence independence) by maintaining the regions as they were. At the same time, it attempted to allay the major causes of minority apprehension by recommending the plebiscite for Ilorin and Kabba, the creation of Special and Minority Areas, and the suggestion of a list of fundamental rights to be included in the final constitution. However, it remains for Nigerians to decide if they will accept these proposals. In the event that the Resumed Conference fails to arrive at a mutually satisfactory formula or the separatist movements take matters into their own hands (as has been rumored),[115] then Nigeria will move into its era of independence torn by dissension instead of united by a sense of common achievement and purpose.

Another basic problem which Nigerians must be prepared to face is secession. During the last decade politicians from every area in the country have threatened secession on a number of occasions. These threats must not be accepted at face value—particularly as the presence of colonial authorities assured the continued existence of Nigeria as a single entity. On the other hand, when Nigeria becomes independent such threats will have to be taken more seriously. For once the Imperial "shock absorber" is removed, Nigerians will have to settle each threat of secession as it arises, or the matter may

lead to ruinous consequences.

A summary of some of the outstanding threats of secession is of interest. In 1950, G. C. Nonyelu, the Member for Port Harcourt in the Eastern House of Assembly, said that if the Government supported the North's demand for fifty per cent of the revenue, "I will demand secession of the Eastern Region from the rest of the country." [116] When the *West African Pilot* openly advocated separate self-government for the Eastern Region independent of the Northern and Western Regions, the magazine *West Africa* tersely wrote off the proposal as an "outburst of temper." [117] At the Ibadan Conference in 1950, Malam Abubakar Tafawa Balewa warned that if the North's demands were turned down, "I am afraid, gentlemen, to think of what will be the result." [118] In 1953, when the Northern members of the federal legislature refused to agree to a motion for self-government in 1956, the people of Lagos treated them in a rude manner. The Northerners were indignant over this rudeness, and they retaliated by passing a motion at Kaduna which demanded independence from the South in all but name.[119] In 1956 Malam Balewa asserted that if the Commission of Enquiry into Dr. Azikiwe's relationship with the African Continental Bank should find him guilty of misconduct, and if he should then be returned to office by the people of the Eastern Region, "other regions would have to find means to protect themselves from association with a region that had shown itself to be without public morality." [120] Mr. Awokoya of the Western Region stated at the Ibadan Conference that if the North insisted on a fifty per cent representation in the central legislature, the West would not accept such a situation and would then "be compelled to pursue a policy of complete regional autonomy." [121] The Action Group threatened secession time and again on the Lagos question and insisted at the 1954 Constitutional Conference that a clause should be incorporated into the amended Constitution giving each region the right to secede from the union once self-government was attained.[122] The Conference agreed to shelve this matter until new meetings were held. When the Conference was resumed in 1957, it recommended regional self-government, but at the time it safeguarded the Federation by providing the Governor-General with the power to issue such regulations as he deemed necessary to ensure that the regions did not endanger the continuance of federal government in Nigeria.[123]

Since an independent Nigeria is certain to alter the Governor-General's discretionary powers, the problem of secession continues to be a real one for the period ahead. The regions are large, populous, distinct entities. Each has a population larger than that of the State of Ghana. Because these three regions are, to a very great

extent, self-sufficient and self-governing, the possibility of their secession in future times can never be ruled out. However, any likelihood of secession should diminish rapidly after the initial stresses of independence have disappeared, because the regions are likely to become more and more interdependent and because the federal government is likely to play a more dynamic role than it has in the past.

The growth of national parties will do a great deal to make the federal government a dynamic and unifying force in Nigerian life. This is the third main problem of Nigerian politics today. From the outset it must be recognized that there is no incompatibility between federalism and political parties which are national in scope. In fact, it is when political parties are patterned too closely along regional lines that the federal system is most likely to break down. The parties themselves may be federal in structure but they must embrace the entire realm of the state if they are to be effective agents of national unity. The growth of national parties will probably ensure that coalition occurs, to a large extent, within the party itself rather than among the parties in the legislature. Not only is the latter case demonstrably less stable and less energetic than the former, but it does little or nothing to foster a sense of national unity. Furthermore, the growth of national parties is apt to simplify the workings of the parliamentary system, which usually operates most smoothly when a responsible majority party faces a critical but loyal Opposition across the aisle. Nigerians will undoubtedly adapt the parliamentary system to meet their needs, but their work will be simplified and the federal government will be more united, more purposeful and more forceful, if their parties can be structured along national lines by the time independence day arrives.[124]

But over and above the issue of national parties is the fourth and very crucial problem of instilling a sense of national identification—or nationalism—without at the same time undermining the basis of Nigerian society. Unless each governmental authority (regional and central) can attract a substantial share of the citizens' loyalty, it stands a chance of eventual eclipse. Many political analysts of the past few centuries have puzzled over the subtle problem of keeping a balance between these two poles of attraction. An overemphasis in either direction may spell disaster to the federal system. Hence Nigeria's problem at this time is to stress national unity and loyalty without being destructive of regional loyalties. The two loyalties should supplement rather than obscure one another. Moreover, they should be constructive forces of goodwill and cooperation and not the breeding grounds for smug provincialism or xenophobia.

In conclusion, federalism could have no more useful or more necessary application than in Nigeria. By offering various groups security and political power, even if this power is limited in scope, federalism acts to accommodate diversity as well as to maintain union. Because it demands minimal adjustments on the part of the groups affected, it speeds a heterogeneous society on the road to independent statehood. As a corollary, however, the unity which is achieved is not as well entrenched as it is in a smaller and more homogeneous state such as Ghana. This gives rise to the great question of the future. Will independence bring the parts closer together or will regional pressures tear the Federation to pieces? If the Federation can unite all its various peoples under one inseparable bond, then this example may well serve as a helpful guide to other underdeveloped areas of the world.

CHAPTER X

A UNITED WEST AFRICA?

"It is a large and wide idea. Is it much too large and wide for the miserable political poverty of contemporary Europe?"—Basil Davidson.[1]

One of Prime Minister of Ghana Kwame Nkrumah's most outstanding feats is to thrust the idea of West African federation onto the world scene. No longer just a talking-point for visionaries, this idea now seems a realizable objective. The first step has been taken. The Gold Coast has become Ghana—a self-governing Dominion within the British Commonwealth. But the name Ghana signifies more than the achievement of self-government in this small state alone. Ghana was selected purposely so that it might be a source of inspiration to all West Africans in their struggle for independence and equality. It reminds Africans of an ancient empire which stretched over most of northwest Africa (although perhaps not extending as far south as the new state of Ghana itself) and flourished at a time before the European powers penetrated and subsequently partitioned West Africa among themselves. Thus Ghana symbolizes a former greatness which the modern men of West Africa wish to recapture. They would build a federation of West Africa upon this beginning, using the new Ghana as a central base of operations.[2]

However, it remains an open question whether Ghana's present leaders will be able to build a united West Africa radiating from Accra. Other alternatives and other leaders offer them competition. A number of legislators reject West African federation outright. Many French West Africans and Nigerians see their respective federations as capable of almost indefinite extension, and some of them look a little askance at Ghana's apparent attempts to lead the movement for closer association. Even within Ghana itself, Opposition leaders seek to adopt a federal system as a precursor to a wider West African union. Thus while a great number of West Africans—Dr. Azikiwe, Chief Awolowo, the Sardauna of Sokoto, M. Sékou Touré, M. Leopold Senghor, M. Sylvanus Olympio—have all gone on record as favoring West African federation, they are far from agreed on the means of putting their notions into effect. Moreover, the task of cementing a

new union is becoming more arduous each year, as new independent countries (such as Guinea) are established and as the existing ties (such as the West Africa Command and the West African Airways Corporation) are dissolved. The movement for West African unity will have to gain momentum while the situation is still somewhat fluid or national differences may become more intense and make inter-territorial integration very difficult to attain.

Prior to the Second World War, the cause of West African union had no mass following and only minor support from the urban middle class.[3] By far the most outstanding political organization calling for West African unity was the West African National Congress, led, during the 1920's, by Joseph Casely-Hayford, an African barrister in the Gold Coast. Throughout much of this period, he promoted co-operation between the four British dependencies of West Africa: the Gold Coast, Nigeria, Gambia, and Sierra Leone. In order to further this objective, Casely-Hayford convened a Conference of Africans in Accra in March, 1920, which gave birth to the West African National Congress. Representatives of the four British West African colonies attended this initial Conference. As its first significant act, the Congress dispatched a delegation to London consisting of two representatives from each of the four territories. In London, the delegation presented a memorandum to Lord Milner, the Secretary of State for the Colonies, requesting self-government and the establishment of both a West African Court of Appeals and a West African University. Nothing came of this appeal, however, for Lord Milner rejected its proposals as premature.[4]

The West African National Congress rapidly declined in membership and influence from this high point in its prestige. Undismayed, Casely-Hayford continued to struggle for the federation of the British territories in West Africa, but with few signs of success. In 1925, he told the third session of the National Congress of British West Africa at Bathurst, Gambia, that "From the latest utterances of British West African Governors and the highest ministers of the Crown in Colonies circles, it is evident that there must come soon closer co-operation as to policy and action between the several Colonies. . . ."[5] But his optimism went unrewarded. For with his death in 1930, the West African National Congress—and with it the struggle for a federated British West Africa—quickly disappeared from the scene.

The push toward West African unification is not exclusively indigenous in its origins. British writers and administrators also spurred it on both by their efforts to make the best possible use of

West African facilities, manpower, and resources during World War II and by their attempts to build a solid foundation for self-government in the area as a whole. Recent West African publicists have tended to overlook the contribution that overseas sources have made toward their unity since the outbreak of World War II; nevertheless, this seems short-sighted in light of the precedents set thereby.

The British Government created a West African Governors' Conference shortly before the outbreak of World War II. At the meetings of this Conference, the four British Governors discussed matters of common interest on a rather informal basis. No permanent secretariat was provided and the task of chairman fell automatically to the Governor of the territory in which the Conference took place. This machinery proved to be inadequate under wartime conditions. As a consequence, the British Government decided to set up a more effective machinery for common action. This came to the public's attention in 1942, when His Majesty's Government announced the appointment of Lord Swinton (formerly Sir Philip Cunliffe-Lister) as Minister Resident in West Africa. As the local supervisor of Allied war efforts, he was charged with coordinating the economic activities of the four British West African dependencies. His services in this capacity were of enormous value to the Allies. Not only did Lord Swinton and his staff spur the production of raw materials in the British colonies, but they worked harmoniously with Free French and Belgian officials in neighboring territories. Their accomplishments demonstrated to Europeans and Africans alike that inter-territorial coordination was feasible.[6]

In the House of Commons, the Secretary of State for the Colonies, Colonel Oliver Stanley, took cognizance of the changes brought about by Lord Swinton's mission. He stated that although His Majesty's Government was convinced that the administration of the British colonies must remain Britain's responsibility, the Government intended to work in close cooperation with neighboring and friendly governments in West Africa. He dwelt at length upon West Africa's need for inter-territorial cooperation, observing in part: "Many of their problems today are common problems and can only be solved in cooperation, for problems of security, of transport, of economics, of health, etc., transcend the boundaries of political units. His Majesty's Government would therefore welcome the establishment of machinery which will enable such problems to be discussed and to be solved by common efforts. What they have in mind is the possibility of establishing Commissions for certain regions. These Commissions would comprise not only the States with Colonial Territories in the region, but also other States which have in the region a major

strategic or economic interest." [7] These were significant words indeed.

Because French and Belgian enthusiasm for inter-territorial collaboration waned after the war, Col. Stanley turned his thinking toward a more limited type of cooperation between the British West African states. He was never to fulfill his plans on this himself; instead the Labor party, which came to power in 1945, substantially carried his revised policies into effect. In an important policy statement, George Hall, the new Colonial Secretary, announced his Government's decision to establish a West African Council of which the Secretary of State would be Chairman and the four Governors, members. Mr. Hall expressed the hope that, with the development of air travel, the Secretary of State would be able to preside in person over the meetings of the Council from time to time. Normally, however, his place would be taken by an Under-Secretary of State. The Council would be assisted by a Chief Secretary who would be responsible for the usual duties of this office as well as for the general administration of such essential common services or institutions as the African Cocoa Research Institute in the Gold Coast. The Colonial Secretary made it clear that there could be no question of turning back to the Governors' Conference of pre-war times. "The position has now materially changed," he asserted, "and co-ordination, while still essential, is required not primarily between the demands of United Kingdom Departments on the resources of the West African Colonies but between the policies and activities of the Colonial Governments themselves."[8] After its inception in 1946, the Council discussed such inter-territorial problems as demobilization, cocoa control, civil aviation, and medical and agricultural research. The Council made few headlines but stuck to its role of encouraging a common British West African outlook on matters essentially non-political in nature. Yet, despite its lack of drama, the establishment of the West African Council remains of extreme interest as an indication of official sanction for steps in the direction of West African cooperation.

In the years following the establishment of the West African Council Britons continued to explore the possibilities of West African unity. They approached the question from two directions. The first looked to the federation of the West African territories into "coherently organized units," [9] an approach only possible if it involved all the colonial powers in the area. This was not altogether out of the question, as was shown by the 1950 proposal of the Strasbourg Committee on Overseas Territories, which recommended the establishment of a Constituent Assembly of Africa as a first step toward a United States of Africa. All the European countries with colonies in West Africa, except for Spain, were represented on this Committee. In essence what this Com-

mittee proposed was the creation of a six-member Commission, appointed by the Consultative Assembly at Strasbourg, to work as an advisory body to an all-African Assembly composed of the various constituent assemblies elected in the various states.[10] Although nothing came of this proposal, it did highlight the idea of a continent-wide federation which would include the dependencies of all the European powers in Africa.

The second approach was more restricted in scope. It merely sought to create a federation of the four British dependencies in West Africa—much like Casely-Hayford's program of the 1920's. The main impetus behind this more modest federation idea was the feeling that the two smaller colonies of Gambia and Sierra Leone could hardly hope to stand alone unless they were linked to the larger British territories in West Africa. Federation, then, was a means of securing a more solid foundation on which to build self-government. The problem of independence for the smaller colonies of Africa becomes easier, observes Sir Ivor Jennings, "if they can be absorbed in or federated into larger units. . . ." [11] A 1957 Statement of the Labor party's colonial policy made suggestions which were similar in tone. This Statement observed: "It is also conceivable that a federation of West African states can develop which would include Sierra Leone and the Gambia. This is looking some way ahead, for at the moment nationalism is the dominant force in this area. Such a federation would also inevitably involve negotiations with the French territories in the same area, and it is difficult at present to see just where suitable boundaries could be drawn. It is, however, conceivable that a federation could be formed out of geographically separated units, as in the case of Pakistan." [12]

It is important to bear in mind that such expressions of interest on the part of Europeans in the problems of British West African unification were atypical. On the whole, post-war Britain continued to ignore the possibility of consolidating its territories in West Africa. Thus, it let an opportunity slip from its grasp. With Ghana's achievement of independence, the question of West African federation passed over to African initiative. Henceforth Africans will have to take the lead in pushing West African union if it is to be achieved. There are very real signs that the men of Ghana in particular, are in active pursuit of this goal—and with an enthusiasm that their European trustees could never have mustered.

The renascence of interest in West African unity is due, in large part, to Kwame Nkrumah's efforts and aspirations. Nkrumah took a keen interest in the problems of West African unification during his

stays in the United States and Great Britain. While enrolled in the graduate division of the University of Pennsylvania, he helped to organize the African Student's Association. The African students in North America made good use of this Association and its newspaper, *The African Interpreter,* as a means for exchanging their views on current problems and preparing themselves for participation in the affairs of their own countries. Not all members shared Nkrumah's zeal for West African unity. By his own account a cleavage occurred between the Gold Coast students who backed Nkrumah on West African unity and the Nigerian students who preferred to emphasize the advance of their own territory's independence before dealing with the wider question of inter-territorial unity.[13]

In London, Nkrumah's political activities—and his interest in West African unity—achieved more notoriety. As the principal *rapporteur* on West African problems at the Fifth Pan-African Congress held in Manchester in October, 1945, he was instrumental in outlining the program which that Congress adopted for his area. Among the various resolutions passed was one that deplored "the artificial divisions and territorial boundaries created by the imperialist powers [as] deliberate steps to obstruct the political unity of the West African peoples." [14] The Congress did not rest with this basic policy pronouncement but decided to create the West African National Secretariat in order to proceed toward this objective. Nkrumah's part in the latter organization was sufficiently outstanding that in 1948 the Watson Commission, which was appointed to enquire into the causes of the disturbances in the Gold Coast earlier that year, pointedly remarked: "In London, he was identified particularly with the West African National Secretariat, a body which had for its objects the union of all West African Colonies and which still exists. It appears to be the precursor of a Union of West African Soviet Socialist Republics." [15]

Upon being offered the job of general secretary of the United Gold Coast Convention in 1947, Nkrumah returned home, availing himself en route of the opportunity of working for the cause of West African unity while at Sierra Leone. From the time he assumed the secretaryship of the United Gold Coast Convention until independence day, more than nine years later, the main part of his energy was spent in the struggle for Ghana's self-rule. All through this period, however, West African unity was never far from his thoughts, and in September, 1948, when he took a vacation in the Ivory Coast and Guinea, he prudently mixed business with pleasure.

In 1949, at the time the Convention People's party was launched, Nkrumah and his colleagues drew up a six-point program which pledged the party, *inter alia,* "To assist and facilitate in any way pos-

sible the realization of a united and self-governing West Africa." [16] In much the same vein, the Constitution of his Convention People's party proclaimed the international aim of supporting "the demand for a West African Federation and of Pan Africanism by promoting unity of action among the peoples of Africa and of African descent." [17] In January, 1953, Dr. Nkrumah traveled to Liberia, where, before a mass audience at Monrovia, he stated: "Yes . . . the campaign of a United West Africa is on. Let the various territories on the West Coast of Africa begin to think now in terms of unity and solidarity. You know your geopolitics. You know what geopolitics is. . . . People talk of land mass and population. That is the way politics is being interpreted now, land mass and population. When you have a big territory and you have a hundred million population, then you know the other powers also will see and respect you because they know that force is behind you." [18]

Toward the end of 1953, Nkrumah convened a West African Nationalist Conference at Kumasi that included such conspicuous figures as George Padmore, the Assistant Secretary of State of Liberia, and Dr. Azikiwe of Nigeria. The statement issued upon the conclusion of the Conference declared the aim of establishing a "strong and truly federal state, capable of protecting itself from outside invasion and able to preserve its internal security." [19]

From then on events touching upon the subject of West African unity occurred at a quickening pace. After the 1954 election, Prime Minister Nkrumah told a surprised press conference that a West African Congress Secretariat would be set up at Accra in order to arrange for annual meetings. An American television audience heard the Gold Coast's Prime Minister assert that in the long run a federation including all the countries of West Africa was a certainty.[20] The first African Regional Conference of the International Confederation of Free Trade Unions met at Accra's new Ambassador Hotel. And finally came Ghana's independence on March 6, 1957. How did Prime Minister Nkrumah feel about West African unity then? He was questioned on this at his first press conference after independence and he replied that he was still interested in Pan-Africa and in West African federation. These were, he told reporters, part of his "basic personal philosophy." [21]

Ghana's independence, however, places its Prime Minister in a difficult position. On the one hand he must work with such neighboring powers as France, a factor he recognized himself soon after achieving independence, for he observed tactfully that Ghana would not interfere in the internal affairs of other countries. On the other hand, he is dedicated to a "basic personal philosophy" which could well lead to

conflict with France and its Eur-African plans.[22] So far, Dr. Nkrumah has been prudent, but resolute, in pursuing his objective. He has offered political asylum to any African who considers himself persecuted (however, other Africans, unsympathetic to his program, have been deported), has planned the construction of an international broadcasting service, has held a series of conferences with Leopold Senghor of Senegal on the subject of a United States of Africa,[23] and has begun preparations for a Pan-African Conference to be held in Accra in 1958. (The last item is not to be confused with the Conference of Independent African States which was held in Accra in April, 1957.) The rapidity and extent of these activities indicate that Nkrumah is likely to make use of every legitimate means calculated to advance his openly-espoused goal of West African unity.

It is not hard to perceive the reasons why Dr. Nkrumah and similarly-minded nationalists seek West African federation. First, they desire security from external aggression. "Nkrumah's interest in West African federation," writes Bankole Timothy, "is primarily for defense purposes. He would like to see West Africa as a unit ready to defend itself against any possible aggression."[24] This opinion is substantiated by Dr. Nkrumah's speech in Monrovia, where he exhorted Liberians to think in terms of geopolitics (which he defined in terms of land mass and population).[25] His emphasis in that speech on the role of force in international affairs in the present era would naturally lead one to believe that he saw West African unity as a means of security. No doubt unification will not by itself provide security in an age of mechanized warfare and ballistic missiles, but it will set the basis on which modern defense can be built. West Africa armed, trained, and united would certainly be a more forbidding adversary than if left in its present divided and unprepared condition.

A second reason is the wish to end the partition of West Africa with all its concomitant aggravations. When Nkrumah asks in his autobiography what is to be done about the tribes on both the eastern and western borders of Ghana, which are subjected to two different administrative systems,[26] he undoubtedly anticipates an answer favoring unification. This is precisely the reason why many a West African fervently looks forward to some form of federation. It would facilitate the reorganization of territorial units in order that they might approximate tribal units more closely. Thus, Sylvanus Olympio, an Ewe from French Togoland, writes: "The evident solution for West Africa is some kind of federation which will satisfy the smaller units' aspirations for self determination without leaving them weak, isolated, and unstable. Unity and freedom are the aims of my divided Ewe people;

unity and freedom should be the aims of West Africa as a whole." [27]

Clearly enough partition would also be a cause of dissension in the future. Just as the Balkanization of Europe and South America has led to tension and war, its counterpart in West Africa is bound to bring friction in times to come. If present boundaries are allowed to become rigid, friendless barriers, the irredentist problem, with its consequent instability, is likely to emerge as an endless source of turmoil. West African leaders, who understand well the strength of tribal ties, are the very ones who look to the enlargement tendency as a way out of their predicaments. They tend to look upon federation as somehow answering all their needs, while paying scant attention to the legal intricacies and functional duplications characteristic of such a scheme.

Third, West African leaders see in union a means for expediting the development of their economies.[28] Dr. Nkrumah has already made it clear that he would like to see the West African territories united in an economic (as well as political) union.[29] Neither he nor his lieutenants have outlined in any detail the economic advantages they expect of inter-territorial union, but one can safely anticipate a number of the benefits they might well have in mind. Economic federation is desired in underdeveloped areas such as West Africa in order to: (1) complement defense objectives, (2) increase international bargaining power, (3) diversify territorial economies which are otherwise too limited or too dependent upon a single crop, (4) avoid duplication in research, (5) encourage large-scale capital investment, (6) facilitate large-scale planning, (7) secure economies through standardization of methods and equipment, and (8) reduce tariff barriers between the various units.

And fourth, West Africans see their unification into one large state as the culmination of their racial aspirations.[30] There has been a great resurgence of pride in Africa and African institutions in the post-war period. While Africans have not hesitated to make good use of such Western contrivances as parliaments, elections, national party organizations, and modern public relations techniques, they have gone to great effort to stress the values of African culture as it has evolved down through the centuries. Modern nationalists and tribal dignitaries alike get satisfaction from the splendors of African dress, dancing, and carvings and from the recollection of past histories. These satisfactions are indicative of a regained self-assurance as well as of hopes for a renascent Africa. That past and present greatness are intertwined is evidenced by the selection of the name Ghana, by references to a "united African Personality," [31] and by the statements of various nationalist leaders. For example, Dr. Nkrumah, while in Liberia, stated: "I see a parapet, and upon that parapet I see the mother of West African unity and independence. Her body besmeared with

the blood of the benighted of the race. On the same parapet I see the heroes of the race both living and dead, in unison, singing one national anthem. On the same parapet I see West Africa. I see in West Africa cities like Monrovia and Accra, springing up and becoming the metropolises of art and learning and science and philosophy; and I hear, beyond that parapet, mortals resounding the rejoinder: Seek ye first the kingdom of freedom and liberty, and all other things will be added unto you." [32]

Although Professor Wheare is justified in not listing racial similarity as an essential prerequisite of the desire for federal union, he does note that an awareness of common race can in fact be an important impetus toward territorial consolidation.[33] Australian federalism was abetted by the common English background of its population. Bismarck could appeal to a greater German unity with Prussia because of the underlying racial identity of the people. And Italian unification is a further case in point. The same may well be true in West Africa today. More and more the people of West Africa are coming to sense their unity as Africans. Their pride of race, with its stress on distinctiveness and equality, is being transmuted into the political arena; there it may show itself to be a powerful vehicle of territorial integration.

Yet, despite all these reasons for seeking West African federation, its accomplishment will be far from easy. A good part of the popular attractiveness of this idea lies at present in its extreme vagueness. Its proponents have worked out no detailed plan for its implementation; and in the event that such a plan were prepared, it would doubtlessly alienate a number of supporters forthwith. Where would the administrative borders be drawn? What powers would be delegated to the central authority? Any answer to these and other questions would open the way to serious disputes, as each interested group battled to secure the best possible provisions for itself. The conflict of interests, moreover, would be very complex. There are diversities of education, wealth, language, forms of administration, religion, tribal heritage, and social outlook which are so striking that to talk of "West African federation, now" would be rather unrealistic.[34] Moreover, can any political leader hope to cut across all national, tribal and language barriers as he attempts to lead the movement for West African unity? It is possible, for example, that Dr. Azikiwe, Chief Awolowo, and the Sardauna of Sokoto of Nigeria, President Tubman of Liberia, the Ivory Coast's Houphouet-Boigny, and other leaders in West Africa will all some day come to accept Dr. Nkrumah as their leader,[35] but it seems more probable that such men will continue to compete for power for many years ahead.

What Dr. Nkrumah has accomplished in respect to West African unity thus far is notable, nonetheless. He has dramatized the idea itself, thus personalizing and making more immediate his struggle for unification. The next step is more formidable, however. He must instill a general desire for unity and a spirit of sacrifice for the cause of West African federation. This task would dishearten many a lesser man.

PART FIVE: CONCLUSION

CHAPTER XI

THE CONNECTING THREAD

> "Fear is the connecting thread running throughout. Each incident has its own distinct character, but at the bottom of each is fear. It may be fear of the white man for the black, or the black man for the white, or of one group of white men for another, or of one group of black men for another. But always the fear is there, making men irrational, arrogant, uncompromising, at times plainly stupid . . . ."—
> Rita Hinden.[1]

In British East, Central and West Africa, leaders who espouse strikingly different objectives have come to look upon the federal system as a practical compromise with their particular needs. This applies to multi-tribal as well as to multi-racial societies. Federalism appears to these leaders to be an adjustment with the external world on the one hand and with internal pressures on the other.

The tendency toward enlargement is to a great extent a response to international political pressures and to the need for establishing a sound base for economic development in the future. These external pressures range from the threat of military attack to the more subtle but equally unsettling interventions of black and white nationalists in other lands. African leaders (black and white alike) are sensitive to the possibility, once the protection of Her Majesty's Government is removed, of outside interference. In seeking freedom from foreign control they do not wish simply to exchange one authority for another. Hence, they display a willingness to compromise their differences with like-minded neighbors also emerging from imperial control and to merge their efforts into one larger and more effective political community.

This common need for security against external pressure—even aggression—is the basis for a new-found community of interest among the many diverse groups living side by side in Africa. Thus the leaders in many of the West African states are turning their thoughts toward some form of closer union such as federation. They condemn their present defenselessness and look upon a union of the West African states as a step toward military strength and security. Similarly, the

Federation of Rhodesia and Nyasaland is in part the result of an effort to increase military capacity for future emergencies. While larger political entities in modern Africa are unlikely to deter a superpower bent upon a course of territorial expansion, they might discourage other African states from attempting to extend their domains. This may have the effect of reducing the possibility of wars between the independent African states of the future, although, in turn, it may well mean that the outbreak of any such war will have more far-reaching consequences.

Moreover, black and white nationalists on the African continent exert a pressure all their own. The effects of this are particularly noticeable in the territories of British East-Central Africa that are struggling to find a middle path in their racial relations. Although in the post-World War I period settler spokesmen in this area sought enlargement primarily to establish their own hegemony, their spokesmen in the post-World War II period urged enlargement as much to forestall the push of Afrikaner nationalism from the south and "Gold Coastism" from the north as to entrench their own interests. Since this effort to establish a secure area for multi-racial cooperation remains unfinished, it is not surprising that many Rhodesians still hope to add other isolated territories such as Bechuanaland, Tanganyika, and Kenya to the Federation. For this reason speculation on a British African Dominion including all of these territories persists today.

Social scientists have commented upon the economic motives for inter-territorial union for many centuries. Thus the growth of a customs union into a confederation in Germany, was seen as a natural pattern of development in an age less hurried and less harried than the twentieth century. However, in the post-World War II period, politically articulate populations in the underdeveloped areas are driving their leaders to find new solutions for old economic problems such as unemployment and low living standards. Gradualness is regarded with disdain.[2] Therefore, the leaders, ever responsive to this grass-roots pressure for improved conditions, show little interest in half-way expedients such as customs unions and look instead to more comprehensive forms of territorial consolidation. In particular, they see federation as a way to quicken the path of development, because it offers a means for securing greater diversification of raw materials, a wider area for planning and capital investment, and a more advantageous position for international bargaining. In British Central Africa, for example, one of the strongest reasons advanced for federation was the economic one. Not only did proponents see a union of Nyasaland and the two Rhodesias as combining complementary economies and lessening the effects of depression in any single industry, but they

labored at great length the point that such a union would present a larger and more attractive field for the investment of foreign capital. In British East Africa, moreover, the economic interdependence of the three territories was recognized by the establishment of an administrative union; closer political ties were ruled out, however, because of the extreme communal tensions manifested at the time.

These motives for enlargement influence the thinking of most modern African statesmen regardless of whether or not they seek a federal or unitary form of government. Enlargement, after all, is not coextensive with federalism. Therefore, it is in the means for carrying out this enlargement that one may expect to find the most significant reasons for adopting a federal form of government. Obviously then, it is from its ability to adjust to internal pressures that federalism derives its greatest appeal, even though these internal pressures arise as a consequence of the desire for enlargement.

While centrifugal forces are evident with each step—even each proposal—for wide geographical union, they become most manifest as self-government approaches. Thus the people of Sierra Leone, Senegal, or Liberia can be expected to insist upon a wide measure of local autonomy if in the future West Africa should actually decide to federate, just as the people in each region of Nigeria have struggled over the last decade to secure significant powers for themselves at the regional level. The primary reason that this phenomenon is more evident in the case of Nigeria than in that of the West African states as a whole is that the approach of self-government has forced inter-group tensions to the fore. Nigerian ethnic groups fear a submergence of their interests much as the European residents of East Africa talk of "swamping." Each desires to preserve its uniqueness and sees security for itself as possible only in a federal form of polity which is shaped to fit its particular demands. The type of federalism which results in the long run, then, is largely an aspect of the local power situation. Some compromise must take place if the federal solution is to reflect the realities of the social situation upon which it is superimposed. This compromise is facilitated by an environment of free debate. It is because leaders can compete freely for support in British tropical Africa that political analysts seem justified in expecting their final product to demonstrate enduring qualities, at least in the years ahead.

Mutual fears (in conjunction with the desire to secure the advantages of a larger union) are therefore the main forces causing local leaders to settle upon a compromise along federal lines. Although these leaders repeatedly take cognizance of the advantages of unitary government in the debates preceding the adoption of a federal constitution, there are few of them who are willing to adopt a unitary system, unless it is

shaped specifically to meet their needs. Since none of the other parties to the arrangement are prepared to make such concessions, a less rigid form of organization seems mandatory. Thus, it seems that the common thread running throughout the various debates over federalism is a fear of domination on the part of one group by another. Fear is to African federalism what the profit motive is to capitalism. It is not the sole rationale, but it is a primary one.

The events of this century have caused ethnic groups to seek an escape from minority status. If the group is too small to find self-fulfillment in the separate nation-state, multi-national federalism, which spreads the power of the state permanently among coordinate governments, may become the next most attractive alternative. Under these conditions, the various groups affected by the compromise accept federalism because they desire the advantages of enlargement with a minimal loss of prerogatives. "I hope," commented Malam Abubakar Tafawa Balewa, the present Prime Minister of Nigeria, "that we are now all agreed that a Federal form of Government is the best for Nigeria and that any item to impose a centralized unitary system will just split the country (applause)." [3] Such statements show federalism for the grudging compromise it is, for although the groups agree to cooperate in building a larger state entity, they insist throughout upon withholding a number of very important powers from central control. In the end they may even brandish the threat of secession to curb the energy of overzealous federal legislators or administrators. Such is the nature of their compromise. It offers security to the constituent parts at the expense of some over-all efficiency and strong central leadership. However, this is the price of union.

Because federalism in British West and Central Africa is largely the product of group fears in combination with the desire for enlargement, it is not surprising that the stresses accompanying its birth process are carried over into the early period of its operation. It is the intensity of the pressures within the Federations of Nigeria and Rhodesia and Nyasaland (in addition to their underdeveloped economies) which differentiates their form of federalism from the cooperative federalism practiced in the United States, Australia, Canada, and Switzerland. Federalism in these British African territories is still tensional federalism. Moreover, only a long period of working together is likely to knit the many parts of these federations into one integrated whole. The threats of secession in Nyasaland, the fleeting spectre of "Pakistanism" in Nigeria, as well as the centrifugal forces in evidence in East Africa all indicate that present lines of inter-territorial unification are far from being fully accepted. This situation leads one to expect that white and black Africans will probably move as slowly toward building and

recognizing a community of interest as did the Swiss and the Canadians in previous centuries. While they will doubtlessly apply the mechanics of Western society to Africa with some success, they cannot borrow a sense of mutual trust from anyone else. Such trust must be learned on home ground and only through a process of trial and error.

Nevertheless, the anxieties existent in these African territories today can be expected to become less intense with time. As people on the African continent come to accept new patterns and new ways, they are likely to come to accept one another. Federalism, itself, should contribute to this harmonizing process by establishing a larger framework in which diverse peoples may mingle and, in time, come to realize their similarities as well as their differences. This contribution is of vast importance in an age where more and more borders are becoming barriers dividing man from man.

Thus, federalism in British Africa must face the challenge of overcoming the very conditions which brought it into existence. It must minimize the bases for fear and build up a community of interest which is grounded upon a more enlightened interrelation of peoples than mere expediency alone. If such a goal is within reach, the stage may be set for further federations on the African continent in the years ahead.

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[5] See *U.S. Commission on Intergovernmental Relations, A Report to the President* (Washington, 1955), p. 59; Carl B. Swisher, *The Growth of Constitutional Power in the United States* (Chicago, 1946), p. 25; and Arthur N. Holcombe, *Our More Perfect Union* (Cambridge, 1950), p. 386.

[6] A. D. Lindsay, *The Modern Democratic State,* I (New York, 1947), p. 226. See also Georg Schwarzenberger, *Power Politics,* 2d ed. (London, 1951), pp. 87-89.

[7] Merle Fainsod, *How Russia Is Ruled* (Cambridge, 1953), pp. 306-307; and Gilbert W. F. Dold and C. P. Joubert, *The Union of South Africa, the Development of its Laws and Constitution* (London, 1955), p. 26. See also K. C. Wheare, *Modern Constitutions* (London, 1951), p. 29.

[8] Alexander Hamilton, *et al., The Federalist,* Modern Library (New York, n.d.), p. 89.

[9] While it certainly was an achievement for the Swiss Constitution of 1848 to combine democratic and aristocratic cantons, it can be anticipated that African federations would have to demonstrate an even greater plasticity because of the great differences in culture between tribes and races.

[10] W. Walton Claridge, *A History of the Gold Coast and Ashanti,* I (London, 1915), p. 228.

In the same manner the Egba federations of the mid-nineteenth century in Nigeria lacked strong central institutions. This impeded their defense efforts and prevented the achievement of stable government for the whole forest area. See Saburi O. Biobaku, *The Egba and Their Neighbours, 1842-1872* (Oxford, 1957), pp. 11, 14, 99.

[11] Rupert Emerson, *Representative Government in Southeast Asia* (Cambridge, 1955), p. 152.

[12] See Harold J. Laski, *A Grammar of Politics* (New Haven, 1931), p. 101, and Swisher, *op. cit.,* p. 47.

[13] Alexander Brady, "Nationalism and Democracy in the British Commonwealth: Some General Trends," *American Political Science Review,* XLVII (December, 1953), p. 1032.

[14] Bronislaw Malinowski, *The Dynamics of Culture Change* (New Haven, 1945), pp. 60-61.

[15] Harold J. Laski, *Studies in the Problem of Sovereignty* (New Haven, 1917), p. 271.

[16] *New State Ice Co.* v. *Liebmann,* 285 U. S. 311 (1931).

[17] Lord Acton, *Essays on Freedom and Power* (New York, 1955), p. 160.

[18] E. H. Carr, *Nationalism and After* (New York, 1945), p. 68.

[19] Jean Jacques Rousseau, *The Social Contract,* trans. by G.D.H. Cole, Everyman's Library (New York, n.d.), p. 96. Rousseau noted in a footnote that he intended to deal with this subject in the sequel to this work under the subject of confederations. This, plus his emphasis upon indivisible sovereignty and his distaste for representation, compels a conclusion that Rousseau's was but a loose concept of confederation. It is hardly compatible with modern practices or theory, but its attempt to bridge theoretical ideals with the needs of his time is interesting. See also *The Political Writings of Jean Jacques Rousseau,* ed. by C. E. Vaughan, II (Cambridge, 1915), p. 443.

[20] Alexis de Tocqueville, *Democracy in America,* Vintage Books, I (New York, 1954), pp. 168-169.

[21] J. S. Furnivall, *Netherlands India* (Cambridge, 1939), p. 446.

[22] For an interesting summary by Lord Lugard on his proposal for "Administrative Separation," see the Introduction to Elspeth Huxley and Margery Perham, *Race and Politics in Kenya* (London, 1945), pp. 10-12.

[23] In Kenya a Standing Committee of the Electors Union suggested as recently as 1955 that federation of nine provinces should be set up in East Africa in order to prepare a link-up with the Federation of Rhodesia and Nyasaland. This federation would be drawn on racial lines and would include one Arab and at least one European province. In various editorials, *New Commonwealth* assailed the proposal as "impracticable" and "ill-considered" and observed that, "In so far as federation is a method of enabling a group of territories, which are unlikely to be politically or economically viable in isolation, to pool their resources [the enlargement tendency], there are strong arguments in its favour. Where, however, it is merely designed to paper over bitter race and tribal conflicts [the decentralization tendency] it can only lead eventually to a breakdown." *New Commonwealth,* XXIX (February, 1955), p. 162, and XXIX (March, 1955), p. 212.

[24] Edward A. Freeman, *History of Federal Government in Greece and Italy,* 2d. ed. (London, 1893), p. 69.

[25] Rudolf Schlesinger, *Federalism in Central and Eastern Europe* (New York, 1945), p. 510.

[26] John Stuart Mill, *Considerations on Representative Government* (New York, 1882), p. 320.

[27] Sobei Mogi, *The Problem of Federalism,* II (London, 1931), p. 1111.

[28] S. F. Nadel, *A Black Byzantium* (London, 1951), p. 17.

[29] James S. Coleman, "The Problem of Political Integration in Emergent Africa," *Western Political Quarterly,* VIII (March, 1955), p. 52.

[30] See Morton Grodzins, *The Loyal and the Disloyal* (Chicago, 1956), pp. 68-69; and Max Gluckman, *Custom and Conflict in Africa* (London, 1955), p. 24.

[31] E. H. Carr, *Conditions of Peace* (New York, 1942), p. 68.

[32] The Sukumaland Federation in Tanganyika, which includes numerous tribes and nearly a million people, is an encouraging example of this process.

CHAPTER II

[1] Cmd. 3378 (London, 1929), p. 12.

[2] Area and Population of Kenya, Uganda, Tanganyika, and Zanzibar:*

Year	*Africans*	*Europeans*	*Asians*	*Arabs*	*Others*
		Kenya (224,960 sq. miles)			
1926	2,682,848	12,526	29,324	10,557	1,259
1948	5,218,232	29,660	97,687	24,174	3,325
		Uganda (93,988 sq. miles)			
1926	3,123,581	1,752	11,613		
1948	4,914,211	3,448	35,215	1,475	827
		Tanganyika (362,688 sq. miles)			
1927	4,319,000	5,274	19,659	4,051	
1948	7,332,539	10,648	46,254	11,074	2,184
		Zanzibar (1,020 sq. miles)			
1927	183,781	272	13,859	18,844	
1948	199,975	296	15,892	44,560	3,439

*Sources: Robert R. Kuczynski, *Demographic Survey of the British Colonial Empire,* II (London, 1949); *Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa,* Cmd. 3234 (London, 1929), p. 315; and Great Britain Colonial Office, *The British Territories in East and Central Africa 1945-1950,* Cmd. 7987 (London, 1950), p. 145.

[3] Sir Percy Girouard visited Uganda in 1910, allegedly to report upon the advisability of amalgamation or some other form of closer union. Regarding expressions of the time upon the advisability of amalgamation or federation, see Sir Charles Eliot, *The East Africa Protectorate* (London, 1905), pp. 180-181; Sir Harry H. Johnston, "The Political Geography of Africa Before and After the War," *The Geographical Journal,* XLV (April, 1915), pp. 285-286; Lord Cranworth, *A Colony in the Making* (London, 1912), p. 6; and Sir F. D. Lugard, *The Dual Mandate in British Tropical Africa,* 2d. ed. (Edinburgh, 1923), pp. 179, 182.

[4] *Times* (London), January 28, 1922, p. 12.

[5] "Problems of Eastern Africa," *Journal of the African Society,* XXI (April, 1922), p. 186.

[6] *Times* (London), April 1, 1924, p. 13; and Marjorie R. Dilley, *British Policy in Kenya Colony* (New York, 1937), p. 60.

[7] *House of Commons Debates,* 5th series, 172 (April 8, 1924), col. 366.

[8] *Ibid.,* cols. 353, 361. [9] *United Empire,* XLI (June, 1925), p. 362.

[10] *House of Commons Debates,* 5th series, 172 (April 8, 1924), col. 366.

[11] *Report of the East African Commission,* Cmd. 2387 (London, 1925), pp. 7-8.

[12] *Ibid.,* p. 9.

[13] Elspeth Huxley, *White Man's Country, Lord Delamere and the Making of Kenya,* II (London, 1953), pp. 202-205.

[14] "Co-operation in East Africa," *Times* (London), January 19, 1926, p. 14.

[15] *Times* (London), October 19, 1925, p. 11.

[16] *Ibid.,* September 14, 1926, p. 13.

[17] Raymond L. Buell, *The Native Problem in Africa,* I (New York, 1928), p. 525.

[18] *Proceedings of the Legislative Council (Tanganyika),* 2d sess. (1928), p. 129.

[19] Huxley, *op. cit.,* II, pp. 213-214. [20] *Ibid.,* II, 221.

[21] *Future Policy in Regard to Eastern Africa,* Cmd. 2904 (London, 1927). Later Lord Delamere referred to the spirit of the White Paper as one of trust in the people (Europeans) on the spot. See Lord Altrincham, *Kenya's Opportunity* (London, 1955), p. 273.

[22] Buell, *op. cit.,* I, pp. 493-494, 525-526.

[23] This occurred at the Livingstone Conference in 1926. L. P. Mair, *Native Policies in Africa* (London, 1936), p. 78.

[24] While it was hoped that conferences would meet annually, the second Governors' Conference was not actually convened until 1930.

[25] The Sudan was soon dropped. See *Correspondence 1931-1932 Arising from the Report of the Joint Select Committee on Closer Union in East Africa,* Cmd. 4141 (London, 1932), p. 7.

[26] *Papers relating to the Question of the Closer Union of Kenya, Uganda and the Tanganyika Territory,* Colonial No. 57 (London, 1931), p. 9.

[27] Altrincham, *op. cit.,* p. 211.

[28] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 190.

[29] Sir Charles Dundas, *African Crossroads* (London, 1955), p. 143.

[30] *Ibid.,* p. 232.

[31] Sir Philip Mitchell, *African Afterthoughts* (London, 1954), p. 107. Elspeth Huxley even refers to Sir Edward Grigg as the "prophet of federation." *Op. cit.,* II, p. 197.

[32] Sir Donald Cameron, *My Tanganyika Service and Some Nigeria* (London, 1939), p. 224.

[33] Altrincham, *op. cit.,* p. 71. [34] Dilley, *op. cit.,* p. 63. [35] Cmd. 2904, p. 1.

[36] Cameron, *op. cit.,* p. 225. In Parliament, Mr. Amery stated that this Conference "devoted itself entirely to administrative and other matters affecting the whole Colonial Empire," thus implying that closer union was beyond its scope. *House of Commons Debates,* 5th series, 209 (July 19, 1927), col. 284.

[37] Cmd. 2904, p. 6.

[38] L. S. Amery, *My Political Life,* II (London, 1953), p. 311.

[39] Cmd. 2904, pp. 6-7.

[40] *Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa,* Cmd. 3234 (London, 1929), pp. 211-213.

[41] *Ibid.,* p. 236, and House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 160.

[42] "The New Problems of Africa," *Round Table,* XVIII (June, 1927), p. 517.

[43] *Ibid.,* p. 246. [44] *Ibid.,* p. 144. [45] *Ibid.,* p. 147.

[46] *Ibid.,* pp. 100-101.

[47] See Julian Huxley, *Africa View* (New York, 1931), p. 411.

[48] For a good synthesis of the settler attitude see Lord Delamere's telegram in Altrincham, *op. cit.,* pp. 271-273; and Colonial No. 57, p. 5.

[49] Raymond L. Buell, "Two Lessons in Colonial Rule," *Foreign Affairs,* VII (April, 1929), p. 446.

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[53] League of Nations, Permanent Mandates Commission, *Minutes of the Fifteenth Session,* 1929, p. 105.

[54] League of Nations, "Council, Fifty-sixth Session, Third Meeting," *Official Journal,* 10:1470, September 6, 1929.

[55] League of Nations, "Council, Fifty-sixth Session, Third Meeting," *Official Journal,* 10:1471, September 6, 1929.

[56] "Native Policy in East Africa," *Foreign Affairs,* IX (October, 1930), p. 78.

[57] *House of Commons Debates,* 5th series, 315 (July 27, 1936), col. 1132.

[58] See the statement of Mr. Ruggles-Brise in the *Proceedings of the Legislative Council (Tanganyika),* 2d. sess. (1928), p. 125.

[59] Amery, *op. cit.,* II, 362. [60] Cmd. 3378, p. 6.

[61] See, for example, Norman Leys, *A Last Chance in Africa,* p. 169.

[62] Cmd. 3234, p. 7.

[63] *Statement of the Conclusions of His Majesty's Government in the United Kingdom as Regards Closer Union in East Africa,* Cmd. 3574 (London, 1930), p. 14.

[64] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* I (London, 1931), p. 23.

[65] Cameron, *op. cit.,* p. 230. [66] Cmd. 3378, p. 30.

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[68] *East Africa and Rhodesia,* June 21, 1945, p. 991.

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[72] Cmd. 3574, p. 8. [73] *Ibid.,* p. 5. [74] *Ibid.,* p. 6.

[75] Colonial No. 57, p. 45.

[76] House of Lords Debates, 5th series, 79 (December 12, 1930), col. 74.

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[81] "The East Africa Report," *Times* (London), November 3, 1931, p. 13.

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[85] League of Nations, Permanent Mandates Commission, *Minutes of the Twenty-Third Session,* 1933, p. 189.

[86] *Loc. cit.*

[87] *Ibid.,* p. 190. [88] Cmd. 3234, p. 227.

[89] *Tanganyika: A Government in a Plural Society* (Hague, 1955), p. 102. Also see Quincy Wright, *Mandates Under the League of Nations* (Chicago, 1930), pp. 551-552.

CHAPTER III

[1] *War and the Minds of Men* (New York, 1950), p. 105.

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[3] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 312.

[4] *Ibid.,* p. 523.

[5] *Papers Relating to the Question of the Closer Union of Kenya, Uganda and the Tanganyika Territory,* Colonial No. 57 (London, 1931), p. 82.

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[7] James W. Fesler, *Area and Administration* (University, Alabama, 1949), p. 40.

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[9] *Ibid.,* II, p. 534.

[10] *Ibid.,* II, p. 160. One estimate of the increased cost of new machinery of government amounted to £34,000 a year, after certain possible savings and adjustments had been taken into account. *Ibid.,* I, p. 14.

[11] *Ibid.,* II, p. 261. [12] *Ibid.,* II, p. 287. [13] *Ibid.,* I, p. 14.

[14] *Legislative Council Debates (Kenya),* II (September 15, 1927), p. 376.

[15] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 20.

[16] *Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa,* Cmd. 3234 (London, 1929), pp. 63, 115.

[17] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 493.

[18] *Ibid.,* II, p. 532.

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[24] Marjorie Ruth Dilley, *British Policy in Kenya Colony* (New York, 1937), pp. 61-62.

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[31] *Economist,* November 7, 1931, p. 854.

[32] House of Commons, Joint Committee on Closer Union in East Africa. *Report Together with the Proceedings of the Committee,* II (London, 1931), pp. 166-167. See also W. Arthur Lewis *et al., Attitude to Africa* (Harmondsworth, 1951), pp. 48-49.

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[38] *Supra,* pp. 38-39.

[39] Cmd. 1922 (London, 1923), p. 10. [40] Cmd. 2904 (London, 1927), p. 7.

[41] Cmd. 3234, p. 40. [42] *Ibid.,* p. 83. [43] *Ibid.,* p. 251A.

[44] *Memorandum on Native Policy in East Africa,* Cmd. 3573 (London, 1930),

p. 5.

[45] *Times* (London), July 7, 1930, p. 14.

[46] *House of Lords Debates,* 5th series, 79 (November 12, 1930), col. 91.

[47] Huxley, *op. cit.,* II, p. 276.

[48] C. K. Archer and Lord Delamere, "Memorandum on the Case against the Claims of Indians in Kenya," as quoted in Dilley, *op. cit.,* p. 156.

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[50] *Ibid.,* Appendix I as quoted in Dilley, *loc cit.* [51] Cmd. 3378, Appendix I (b).

[52] Huxley, *op. cit.,* II, p. 131.

[53] Raymond Leslie Buell, *The Native Problem in Africa,* I (New York, 1928), p. 293.

[54] *Ibid.,* I, p. 294. For an interesting description of the preparations for rebellion see Norman Leys, *Kenya,* 2d. ed. (London, 1925), pp. 347-349; or Huxley, *op. cit.,* II, pp. 135 ff.

[55] William McGregor Ross wrote pithily, "Mr. Baldwin's Cabinet of 1923, with its Kenya White Paper, provided a final settlement of *nothing.*" *Kenya From Within* (London, 1927), p. 454.

[56] Cmd. 1922, pp. 12-14.

[57] Cmd. 3234, pp. 210-211. The Chairman dissented from the first sentence.

[58] Colonial No. 57, p. 5. [59] Cmd. 2904, p. 7.

[60] *Statement of the Conclusions of His Majesty's Government in the United Kingdom as regards Closer Union in East Africa,* Cmd. 3574 (London, 1930), p. 8.

[61] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 625.

[62] *Loc. cit.* [63] Cmd. 3378, p. 8.

[64] Cmd. 1922, p. 10. [65] Cmd. 3234, p. 40. [66] Cmd. 3378, p. 6.

[67] Cmd. 3378, Appendix I (b).

[68] Lord Cranworth, *A Colony in the Making* (London, 1912), p. 276.

[69] Huxley, *op. cit.,* II, p. 199. [70] Altrincham, *op. cit.,* p. 258.

[71] Cmd. 3234, p. 90.

[72] Colonial No. 57, p. 39. This refers to the White Paper issued by Lord Passfield on Closer Union (Cmd. 3574).

[73] *Ibid.,* p. 35. [74] *Supra,* p. 37-38.

[75] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 477.

[76] *Ibid.,* II, p. 442. [77] *Ibid.,* II, p. 553. [78] *Ibid.,* II, p. 376.

[79] *Ibid.,* I, p. 14. [80] *Ibid.,* II, p. 407. [81] *Ibid.,* II, p. 418.

[82] Cranworth, *op. cit.,* p. 274. "In Kenya unofficial opinion has in practice obtained a much larger influence in the counsels of government than accords with the strictly constitutional position." Cmd. 3234, p. 89. See also Ross, *op. cit.,* p. 448.

[83] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 415.

[84] *Ibid.,* II, p. 416. [85] Colonial No. 57, p. 86.

[86] House of Commons, Joint Committee on Closer Union in East Africa, *Report Together with the Proceedings of the Committee,* II (London, 1931), p. 551.

[87] Sir Philip Mitchell, *African Afterthoughts* (London, 1954), p. 169.

[88] Colonial No. 57, p. 79. [89] *Ibid.,* p. 87.

[90] *Proceedings of the Legislative Council (Tanganyika),* 2d sess. (1928), p. 133.

[91] *Ibid.,* p. 132. Europeans from Tanganyika had attended the various unof-

ficial conferences and by some of their own claims had supported federation more enthusiastically than had the Kenyans. See *Ibid.*, p. 129.

[92] *Ibid.*, p. 132. [93] *Ibid.*, p. 135. [94] *Supra*, pp. 47-50.

[95] Cmd. 3378, pp. 7-8. [96] Cmd. 3574, p. 19. [97] Colonial No. 57, p. 127.

CHAPTER IV

[1] Cmd. 9475 (London, 1955), p. 198.

[2] *East Africa and Rhodesia,* November 23, 1944, p. 272.

[3] *Annual Report on the East Africa High Commission For Its Inaugural Year 1948,* Colonial No. 245 (London, 1949), p. 2.

[4] Roger Norton, "The East African Group," *United Empire,* XL (September-October, 1949), p. 263. Also see Sir Alfred Vincent's speech at Nakuru in the *East African Standard* (Nairobi), January 11, 1946, p. 1.

[5] *Inter-Territorial Organization in East Africa,* Colonial No. 191 (London, 1945), p. 1.

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[8] Fabian Colonial Bureau, *Four Colonial Questions: How Should Britain Act?* Research Series No. 88 (London, 1945), p. 29.

[9] *East Africa and Rhodesia,* September 14, 1944, p. 45. Address by Colonel C. Thornton.

[10] *East Africa and Rhodesia,* September 21, 1944, p. 67.

[11] *House of Commons Debates,* 5th series, 417 (December 12, 1945), cols. 568-569.

[12] *Ibid.*, 418 (February 1, 1946), col. 1339. [13] Colonial No. 191, pp. 5-6.

[14] *Ibid.*, pp. 4-8. Colonial No. 191 also stated that, "Unofficial members would have no power to initiate legislation but they could introduce motions on any subject under the usual rules."

[15] *Ibid.*, pp. 7-8. [16] *Ibid.*, p. 8.

[17] *East Africa and Rhodesia,* January 17, 1946, p. 497.

[18] Enoch E. K. Mulira, "East Africa," *Journal of International Affairs,* VII (1953), p. 161.

[19] E.M.K. Mulira, *Troubled Uganda,* Fabian Colonial Controversy Series No. 6 (London, 1950), p. 39.

[20] *East Africa and Rhodesia,* February 14, 1946, p. 601.

[21] *East African Standard* (Nairobi), February 8, 1946, p. 5.

[22] *The Uganda Herald* (Kampala), June 26, 1946, p. 4.

[23] *Tanganyika Standard* (Dar es Salaam), February 8, 1946, p. 3. Also see *East Africa and Rhodesia,* February 14, 1946, p. 602.

[24] *East African Standard* (Nairobi), February 11, 1946, p. 3.

[25] *East Africa and Rhodesia,* November 21, 1946, p. 310.

[26] *East African Standard* (Nairobi), May 8, 1946, p. 3.

[27] *East Africa and Rhodesia,* April 25, 1946, p. 846.

[28] *East African Standard* (Nairobi), January 16, 1946, p. 3.

[29] For example, a public meeting at Nakuru, Kenya, on January 12, 1946, unanimously adopted a resolution categorically rejecting Colonial 191 and supporting the elected members in their refusal to agree to the proposals. *East African Standard* (Nairobi), January 14, 1946, p. 1. Also see *Tanganyika Standard* (Dar es Salaam) February 6, 1946, p. 4.

[30] *East Africa and Rhodesia,* April 11, 1946, p. 791.

[31] *Economist,* December 22, 1945, p. 908.

[32] Sir Alfred Vincent, "Paper 191 and the Alternatives," *East African Standard* (Nairobi), June 14, 1946, p. 7.

[33] *East Africa and Rhodesia,* February 7, 1946, p. 572.

[34] *East African Standard* (Nairobi), January 31, 1946, p. 1.

[35] *Ibid.,* January 14, 1946, p. 1. [36] *Loc. cit.*

[37] See *East Africa and Rhodesia,* April 11, 1946, p. 791.

[38] *East African Standard* (Nairobi), May 14, 1946, p. 1.

[39] *East Africa and Rhodesia,* May 30, 1946, p. 963.

[40] *East African Standard* (Nairobi), May 20, 1946, p. 3.

[41] *East Africa and Rhodesia,* September 5, 1946, p. 29.

[42] *Inter-Territorial Organization in East Africa, Revised Proposals,* Colonial No. 210 (London, 1947), p. 5.

However, even if the Central Assembly ceased to operate after four years, the High Commission would have continued to function. *Official Records: Fourth Session,* Trusteeship Council, 33rd meeting (January 24-March 25, 1949), U. N. Doc. (New York, 1949), p. 454.

[43] Colonial No. 210, p. 10. [44] *Ibid.,* p. 11. [45] *Ibid.,* p. 6.

[46] *House of Commons Debates,* 445 (December 3, 1947), col. 73.

[47] *Ibid.,* 441 (July 29, 1947), col. 271. [48] *Loc. cit.*

[49] Actually, an Indian was selected as the territorial representative in Uganda after the plan came into effect.

[50] George Padmore, for example, writes caustically that Mr. Creech Jones' withdrawal of Colonial 191 and the substitution of Colonial 210 in its stead "destroyed all confidence in the Socialist Government." *Pan-Africanism or Communism?* (London, 1956), p. 230.

[51] John Tawney, "East African Cross-Roads," *Corona,* V (February, 1953), p. 58.

[52] Olive Holmes, "Peoples, Politics, and Peanuts in Eastern Africa," *Foreign Policy Reports,* December 1, 1950, p. 162.

[53] *Crown Colonist,* XVII (May, 1947), p. 277.

[54] *East African Standard* (Nairobi), March 20, 1947, p. 3.

[55] Three years later a correspondent still found white opinion in Tanganyika to be "deeply divided, with the Northern Province extremists more and more isolated." "Round the Bend in Kenya," *Spectator,* May 26, 1950, p. 715.

[56] *Uganda Herald* (Kampala), April 30, 1947, p. 4. See also Gikonyo Wa Kiano, *The Federation Issue in Multi-Racial East and Central Africa* (University of California Ph.D. dissertation, 1956), p. 236.

[57] *Uganda Herald* (Kampala), April 30, 1947, p. 4.

[58] *Loc. cit.*

[59] See the communique of the Indian Associations, *loc. cit.*

[60] *Proceedings of the Legislative Council (Tanganyika),* April 15, 1947, Extraordinary Meeting, p. 18.

[61] *Uganda Herald* (Kampala), May 14, 1947, p. 8.

[62] *Proceedings of the Legislative Council (Tanganyika),* April 15, 1947, Extraordinary Meeting, p. 31.

[63] *Ibid.,* p. 32.

[64] *Ibid.,* p. 31.

[65] *Legislative Council Debates (Kenya),* April 16, 1947, XXVI, Part I, 2d. series, col. 37.

[66] *Ibid.,* XXVI, Part I, 2d. series, col. 45.

[67] *East African Standard* (Nairobi), July 31, 1947, p. 3.

[68] *House of Commons Debates,* 5th series, 441 (July 28, 1947), cols. 15-16. See also *ibid.,* 445 (December 3, 1947), col. 73.

[69] *East Africa and Rhodesia,* April 8, 1948, p. 836.

[70] "Report of the Trusteeship Council," *Official Records: Fifth Session, Supplement No. 4,* U.N. Doc. A/1306 (New York, 1950), p. 205.

[71] *East Africa (High Commission) Order in Council, 1947,* pp. 15-16.

[72] *Ibid.,* pp. 9-10. [73] *Ibid.,* p. 11. [74] *Ibid.,* p. 10.

[75] "Africa and the West in Historical Perspective," in *Africa Today,* C. Grove Haines, ed. (Baltimore, 1955), p. 21.

[76] "United Nations Visiting Mission to East Africa: Report on Tanganyika and Related Documents, 1948," Trusteeship Council, *Official Records: Fourth Session, Supplement,* No. 3, U.N. Doc. T/218 (New York, 1949), p. 60.

[77] Margaret L. Bates, "Tanganyika: The Development of a Trust Territory," *International Organization,* IX (February, 1955), p. 46.

[78] *Proceedings of the Legislative Council (Tanganyika),* Part I, 22d sess. (April 21, 1948), pp. 45-46. Statement by Brig. W.E.H. Scupham.

[79] *Legislative Council Debates (Kenya),* XXIX, 2d series, 1st sess. (March 16, 1948), col. 101.

[80] *Ibid.,* XXIX, 2d series, 1st sess., col. 102.

[81] *Legislative Council Debates (Kenya),* XLII, 3d sess. (May 11, 1951), col. 97.

[82] *Ibid.,* XLII, 3d sess., cols. 108-109.

[83] While Africans have displayed some antipathy to the High Commission in Uganda, this has been tempered by a realization of the need for inter-territorial administration of certain of the common services. See *East Africa and Rhodesia,* March 14, 1957, pp. 932-933.

[84] *Round Table,* XLVIII (March, 1957), p. 194.

[85] See the *East Africa (High Commission) (Amendment) Order in Council 1956,* pp. 2-3.

[86] Keith Irvine, "Tomorrow's Tanganyika: Colonial or Free," *New Leader,* April 18, 1955, p. 20; "Kenya," *Atlantic,* CXCVII (January, 1956), p. 16; Leonard Ingalls, "3 African Areas Shun Federation," *New York Times,* October 30, 1955, p. 19; and Bates, *op. cit.,* pp. 46-47.

[87] *East Africa and Rhodesia,* May 22, 1952, pp. 1134-1135; May 29, 1952, p. 1168; and June 5, 1952, p. 1199.

[88] *Ibid.,* July 2, 1953, pp. 14-16. (Italics mine.) [89] *Ibid.,* July 9, 1953, p. 1434.

[90] *East African Standard* (Nairobi), July 4, 1953, p. 5, and July 9, 1953, p. 9.

[91] "United Nations Visiting Mission to Trust Territories in East Africa, 1954," Trusteeship Council, *Official Records: Fifteenth Session, Supplement No. 3,* U.N. Doc. T/1169 (New York, 1955), p. 78.

[92] Margery Perham, "Difficulties in Buganda," (Letter to the Editor), *Times* (London), February 10, 1954, p. 9, and *House of Commons Debates,* 5th series, 522 (December 16, 1953), col. 399f.

[93] William Clark, "Britain's Experiment in Africa," *Listener,* November 25, 1954, pp. 889-890; George W. Carpenter, "Public Unrest Evident in Uganda," *African News,* II (February, 1955), p. 2; George W. Shepherd, Jr., *They Wait in Darkness* (New York, 1955), p. 257; and R.H.S. Crossman, "What Went Wrong in Uganda?" *New Statesman and Nation,* February 6, 1954, p. 147.

[94] "Commonwealth Newsletters: Uganda," *New Commonwealth,* XXVII (January, 1954), p. 40.

[95] *House of Commons Debates,* 5th series, 524 (February 23, 1954), col. 212.

[96] *Uganda Protectorate, Withdrawal of Recognition from Kabaka Mutesa II of Buganda,* Cmd. 9028 (London, 1953), pp. 23-24.

[97] Cmd. 9028, p. 24. [98] *Ibid.,* p. 27. [99] *Loc. cit.*

[100] "Commentary: The Kabaka Deposed," *New Commonwealth,* XXVI (December, 1953), p. 588.

[101] Cmd. 9028, p. 33. [102] *Ibid.,* p. 10.

[103] *East African Standard* (Nairobi), January 6, 1954, p. 1.

[104] "Commentary: Kabaka's Apologia," *New Commonwealth,* XXVII (January, 1954), p. 55.

[105] U.N. Doc. T/8, March 25, 1947, p. 19.

[106] *Charter of the United Nations,* Art. 76(b).

[107] For example, see the observations of the 1948 Visiting Mission, *op. cit.,* U.N. Doc. T/218, Ch. II(d) (2).

[108] General Assembly Resolution 224 (III), November 18, 1948, Official Records: Third Session, *Resolutions* (September 21-December 12, 1948), U.N. Doc. A/810 (New York, 1948), p. 86.

[109] U.N. Doc. A/1306, *op. cit.,* p. 183.

[110] *Official Records: Third Session,* Trusteeship Council, 11th meeting (June 16-August 5, 1948), U.N. Doc. (New York, 1948), pp. 135-139.

[111] *East African Royal Commission 1953-1955 Report,* Cmd. 9475 (London, 1955), pp. 87-88, and *Administrative Unions Affecting Trust Territories: First Report of the Standing Committee on Administrative Unions: Tanganyika,* U.N. Doc. T/915 (June 5, 1951), pp. 5-7.

[112] *Report of the Committee on Administrative Unions,* U.N. Doc. T/338 (June 6, 1952), p. 30.

[113] U.N. Doc. T/915, *op. cit.,* p. 7.

[114] *Conditions in the Trust Territory of Tanganyika:Report of the Drafting Committee,* U.N. Doc. T/L. 187 (June 29, 1951), p. 5.

[115] U.N. Doc. T/218, *op. cit.,* p. 65; and U.N. Doc. T/1169, *op. cit.,* p. 78, General Assembly Resolution 326 (IV).

[116] U.N. Doc. A/1251, *op. cit.,* p. 40.

[117] *Report of the United Nations Visiting Mission to East Africa on Tanganyika: Observation of the United Kingdom Government,* U.N. Doc. T/333, p. 22.

[118] U.N. Doc. T/L. 187, *op. cit.,* p. 5.

[119] Mr. C.J.M. Alport, *House of Commons Debates,* 5th series, 538 (March 16, 1955), col. 1346.

[120] Edwin S. Munger, *Relational Patterns of Kampala, Uganda,* University of Chicago Research Paper No. 21 (Chicago, 1951), p. 128. Also see Mr. Mathu's statement in *East African Standard* (Nairobi), July 31, 1947, p. 3.

CHAPTER V

[1] *Debates of the Legislative Assembly (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2628.

[2] *The New Federation of Rhodesia and Nyasaland,* Federal Information Service (Salisbury, 1954), p. 5.

[3] *Central African Territories: Geographical, Historical and Economic Survey,* Cmd. 8234 (London, 1951), pp. 14-15.

[4] *The New Federation of Rhodesia and Nyasaland,* p. 5. The Federation also includes 14,200 Asians and 10,000 persons of "Mixed Races."

[5] *Central African Territories: Comparative Survey of Native Policy,* Cmd. 8235 (London, 1951), p. 26.

[6] Arthur W. Macmahon, "The Problems of Federalism: A Survey," *Federalism Mature and Emergent,* ed. by Arthur W. Macmahon (New York, 1955), p. 5.

[7] In regard to external affairs, the Governments of the United Kingdom and the Federation issued the following statement on April 27, 1957: "The United Kingdom Government have agreed to entrust responsibility for external affairs to the Federal Government to the fullest extent possible consistent with the responsibility which Her Majesty's Government must continue to have in international law so long as the Federation is not a separate international entity." *East Africa and Rhodesia,* May 2, 1957, p. 1170.

[8] The Constitution defines a "differentiating measure" as: "a Bill or instrument by which Africans are subjected or made liable to any conditions, restrictions or disabilities disadvantageous to them to which Europeans are not also subjected or made liable, or a Bill or instrument which will in its practical application have such an effect." *The Federation of Rhodesia and Nyasaland (Constitution) Order in Council, 1953,* Statutory Instruments No. 1199 (London, 1953), p. 39.

[9] "Commonwealth Newsletters: Rhodesians Want 'A Separate State,'" *New Commonwealth,* XXIX (August, 1956), p. 183.

[10] *East Africa and Rhodesia,* May 2, 1957, p. 1171.

[11] During these London talks Sir Roy did not demand independence for the Federation forthwith. However, since that time he has intimated that if the Federation's delegates to the 1960 conference fail to obtain independence, then will be the time "to take stock and decide what other action is necessary." Added, Sir Roy, "I personally would never be prepared to accept that the Rhodesians have less guts than the American colonists had." *East Africa and Rhodesia,* May 22, 1958, p. 1193. In declaring its policies, the Opposition (Dominion) party bluntly stated that if negotiations failed in 1960, they would make a "declaration of independence within the British Commonwealth." This declaration would be based on a favorable referendum among the federal voters and would exclude Nyasaland and the Barotseland area of Northern Rhodesia. *Manchester Guardian Weekly,* July 28, 1958, p. 4.

[12] Cmd. 5949, pp. 107-110.

[13] H. Maclear Bate, *Report from the Rhodesias* (London, 1953), p. 84.

[14] Lord Altrincham, *Kenya's Opportunity* (London, 1955), p. 29.

[15] Although Southern Rhodesia's isolation has ended, it is important to note that some thought of joining the Union is still harbored by Europeans there. This was most strikingly illustrated during the Hillside by-election in April, 1958, when Southern Rhodesia's Prime Minister, Sir Edgar Whitehead, stated that if the races cannot work together, the two northern territories might be lost to "African nationalism" and Southern Rhodesia might be driven to seek the "shelter of South Africa." *East Africa and Rhodesia,* April 24, 1958, pp. 1058-1059.

[16] Cmd. 5949, pp. 109-110.

[17] *Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa,* Cmd. 3234 (London, 1929), p. 285.

[18] *Ibid.,* p. 282. [19] *Ibid.,* pp. 282-283.

[20] Cmd. 5949, p. 111; and *Manchester Guardian,* July 3, 1931, p. 10.

[21] Cmd. 5949, p. 113. [22] *Ibid.,* p. vii.

[23] *Ibid.,* pp. 215-219. [24] *Supra,* p. 88. [25] Cmd. 5949, p. 218.

[26] *Towards Self-Government in the British Colonies,* B.I.S., I.D. 598 (New York, 1950), pp. 43-45; *Notes on Colonial Constitutional Changes 1940-1951,* Colonial

Office Memorandum No. 4 (London, 1951), p. 17; and *British Central Africa,* Fabian Society (London, 1951), p. 8.

[27] *Debates of the Legislative Council (Northern Rhodesia),* 73 (July 3, 1952), col. 151; Don Taylor, *The Rhodesian: The Life of Sir Roy Welensky* (London, 1955), pp. 76-85.

[28] *Debates . . . (Northern Rhodesia), op. cit.,* col. 152. [29] *Ibid.,* col. 153.

[30] A. Creech Jones, *African Challenge: The Fallacy of Federation,* Africa Bureau (London, 1952), p. 10.

[31] *House of Commons Debates,* 5th series, 497 (March 4, 1952), col. 209.

[32] Creech Jones, *op. cit.,* p. 8. [33] Debates . . . *(Northern Rhodesia), op. cit.,* col. 149.

[34] *Central African Territories: Report of the Conference on Closer Association,* Cmd. 8233 (London, 1951), p. 5, and *House of Commons Debates,* 5th series, 480 (November 8, 1950), cols. 946-7.

[35] Cmd. 8233, p. 14.

[36] *Debates of the Legislative Assembly (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2626 and XXXIV (October 12, 1953), cols. 2095-2096.

[37] See Sir Godfrey Huggins, *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2626.

[38] *House of Commons Debates,* 5th series, No. 499 (April 29, 1952), col. 1290.

[39] *Closer Association in Central Africa,* Cmd. 8411 (London, 1951), p. 6.

[40] *Loc. cit.* [41] *East Africa and Rhodesia,* May 11, 1953, p. 1177.

[42] Cmd. 8411, p. 5., and *House of Commons Debates,* 5th series, 494 (Nov. 21, 1951), cols. 392-393.

[43] *Times* (London), November 22, 1951, p. 12.

[44] *Report by the Conference on Federation,* Cmd. 8753 (London, 1953), pp. 9-10, and Sir William McLean, *Colonial Constitutional Changes: Policy and Progress, 1951-1954,* Memo. No. 4B Colonial Office (London, 1954), p. 18.

[45] *Draft Federal Scheme,* Cmd. 8573 (London, 1952), pp. 3-4.

[46] *House of Commons Debates,* 5th series, 499 (April 29, 1952), cols. 1233-1240.

[47] *Ibid.,* col. 1250.

[48] See Cmd. 8573.

[49] See *Debates . . . (Northern Rhodesia),* 72 (July 7, 1952), col. 241. Speech by Mr. Sokoto.

[50] Cmd. 8573, pp. 14-18. [51] *Supra,* p. 89.

[52] Neither the Draft Federal Scheme nor the Constitution designated which Secretary of State (for Commonwealth Relations or for the Colonies) was intended. Presumably this was intended to ease a change of status which might take place in the future.

[53] See Cmd. 8573, pp. 23-26.

[54] This was later made more precise under the Federal Scheme. It then read: "(a) if he satisfies himself that it is not a differentiating measure and that the reasons given by the Board for considering it to be such a measure are of an irrelevant or frivolous nature." *The Federal Scheme,* Cmd. 8754 (London, 1953), p. 27.

[55] *Report by the Conference on Federation,* Cmd. 8753 (London, 1953), p. 11.

[56] *The Federation of Rhodesia and Nyasaland (Constitution) Order in Council, 1953,* Statutory Instruments, No. 1199 (London, 1953), pp. 17-21.

[57] *East Africa and Rhodesia,* November 14, 1957, pp. 334-336; November 28, 1957, pp. 404-407; January 2, 1958, pp. 576-577, 582; and February 20, 1958, pp. 790-791.

[58] Cmd. 8754, p. 25. [59] *Ibid.*, pp. 6-8. [60] *Ibid.*, p. 39. [61] *Ibid.*, p. 46.

[62] *House of Commons Debates,* 5th series, No. 504 (July 24, 1952), col. 865.

[63] *East Africa and Rhodesia,* April 16, 1953, p. 1054.

[64] John Cookson, *Before the African Storm* (Indianapolis, 1954), p. 188.

[65] Eugene P. Dvorin, "Central Africa's First Federal Election: Background and Issues," *Western Political Quarterly,* VII (September, 1954), p. 388.

[66] *African News,* II (February, 1955), p. 6.

[67] This election victory was described by Peter Wright and S. N. Varma as "a distressing phenomenon." "The Central African Federation in Retrospect," *India Quarterly,* XII (July-September, 1956), p. 264.

[68] See Carl Rosberg, "Turning Point in Southern Rhodesia?" *Africa Special Report,* III (July, 1958), pp. 5-7, 10.

[69] Eugene P. Dvorin, "Emergent Federalism in Central Africa: Problems and Prospects" in *Transition in Africa: Studies in Political Adaptation,* Gwendolen M. Carter and William O. Brown, eds. (Boston, 1958), p. 86.

[70] "Partnership in Central Africa," *International Affairs,* XXXIII (April, 1957), p. 161.

[71] Chester Bowles, *Africa's Challenge to America* (Berkeley, 1956), p. 72.

[72] *Africa Special Report,* II (February, 1957), p. 2. Dr. Hastings Banda, who returned home in 1958 to lead the Nyasaland National Congress in its struggle to secede from the Federation, believes that Nyasaland can "stand on her own economic feet once she is free and independent." *East Africa and Rhodesia,* May 29, 1958, p. 1222. However, he has also stated that "if, for economic reasons, Nyasaland must enter into a sort of union with any other country, then union with Tanganyika is much more logical and sensible than that with Southern Rhodesia." "Should Nyasaland stay in the Federation?" *New Commonwealth,* XXXVI (March 31, 1958), p. 312.

[73] *East Africa and Rhodesia,* January 24, 1957, p. 702.

[74] *Ibid.*, January 24, 1957, p. 702. [75] *Loc. cit.*

[76] *Africa South,* II (July-September, 1958), p. 67.

[77] *The Federation of Rhodesia and Nyasaland (Constitution) Order in Council, 1953,* Statutory Instruments, No. 1199 (London, 1953), p. 48.

[78] Gikonyo Kiano, *The Federation Issue in Multi-Racial East and Central Africa* (University of California, Berkeley, Ph.D. dissertation, 1956), p. 225.

[79] Alexander Hamilton, *et al., The Federalist,* Modern Library (New York, n.d.), p. 403.

[80] Sir Ivor Jennings, *The Approach to Self-Government* (Cambridge, 1956), p. 120.

[81] *The Federation of Rhodesia and Nyasaland, op. cit.,* p. 15.

[82] *East Africa and Rhodesia,* January 24, 1957, p. 695.

[83] *The Federation of Rhodesia and Nyasaland, op cit.,* p. 35.

CHAPTER VI

[1] *Debates of the Legislative Assembly (Southern Rhodesia),* XXXIV, October 12, 1953, col. 2099.

[2] See speech by Sir Godfrey Huggins, *Debates . . . (Southern Rhodesia),* XXXIII (June 23 ,1952), col. 2622.

[3] *Ibid.*, col. 2621.

[4] *Debates . . . (Southern Rhodesia),* XXXIII, cols. 2624-2625. Also see W. H.

Gutteridge, "Federal Solutions within the Empire," *Contemporary Review,* No. 1076 (August, 1955), p. 117, and *Rhodesia Herald* (Salisbury), April 7, 1953, p. 5.

[5] C. J. Hatty, *Debates . . . (Southern Rhodesia),* XXXIII (June 24, 1952), col. 2742.

[6] *East Africa and Rhodesia,* July 13, 1950, p. 1379.

[7] William A. Hance, "Economic Potentialities of the Central African Federation," *Political Science Quarterly,* LXIX (March, 1954), p. 30.

[8] Curtis Prendergast, "The Fastest-Growing Country in Africa," *Fortune,* LVII (March, 1958), p. 171. Also see *Review of Economic Activity in Africa, Supplement to World Economic Report, 1953-1954,* U.N. Doc. E/2738 ST/ECA/33 (New York, 1955).

[9] *New York Times,* October 25, 1955, p. 57.

[10] United Kingdom Branch of the Commonwealth Parliamentary Association, *The Federation of Rhodesia and Nyasaland* (London, 1957), p. 25.

[11] See Gunnar Myrdal, *An International Economy: Problems and Prospects* (New York, 1956), pp. 224-228.

[12] Raymond Aron, *The Century of Total War* (New York, 1954), p. 301.

[13] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), cols. 2623, 2624.

[14] Roy Welensky looked forward to the institution of a federal army, for he predicted a big reduction in defense costs for Northern Rhodesia. *Debates of the Legislative Council (Northern Rhodesia),* 73 (July 3, 1952), col. 175.

[15] *Draft Federal Scheme, Report of the Civil Service Preparatory Commission,* Cmd. 8673 (London, 1952), p. 53.

[16] *Closer Association in Central Africa,* Cmd. 8411 (London, 1951), p. 3.

[17] *East Africa and Rhodesia,* April 10, 1952, p. 852.

[18] Cornelis W. de Kiewiet, "African Dilemmas," *Foreign Affairs,* XXXIII (April, 1955), p. 449. Eric A. Walker writes in the same vein: "It is folly to go along national lines where there is as yet no nation." *Colonies* (Cambridge, 1945), p. 94.

[19] Halford J. MacKinder, *Democratic Ideals and Reality* (New York, 1919), p. 3.

[20] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2648.

[21] L. M. Cullinan, *Debates . . . (Southern Rhodesia),* XXXIII (June 24, 1952), col. 2902, and *East Africa and Rhodesia,* February 5, 1953, p. 722.

[22] *Native Administration in British African Territories,* Part V (London, 1953), p. 332.

[23] See *Basutoland, the Bechuanaland Protectorate and Swaziland: History of Discussions with the Union of South Africa, 1909-1939,* Cmd. 8707 (London, 1952), p. 21. As recently as April, 1954, Sir Winston Churchill told Parliament that there could be no question of the British Government agreeing at present to the transfer of these territories to the Union of South Africa. *House of Commons Debates,* 5th series, 526 (April 13, 1954), col. 966.

[24] Cmd. 8707, pp. 127-29, and *Rhodesia-Nyasaland Royal Commission Report,* Cmd. 5949 (London, 1939), p. 240.

[25] *Crown Colonist,* XVIII (February, 1950), p. 125; and *East Africa and Rhodesia,* April 28, 1949, p. 1070.

[26] Harold James, "Bechuanaland Has a Way Out," *Tanganyika Standard* (Dar-es Salaam), May 31, 1954, p. 4.

[27] *Loc. cit.*

[28] *Africa Digest,* IV (May-June, 1957), p. 200. [29] Cmd. 8411, p. 6.

[30] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2625. On

this matter the London *Times* had written previously: "Politically the case for closer union rests on the necessity for establishing north of the Limpopo a strong, united *bloc,* British in tradition and outlook and liberal in policy." "African Racial Fears, A Barrier Between the Two Rhodesias," *Times* (London), April 21, 1950, p. 7.

[31] Sir Stephen King-Hall, "North of the Limpopo," *Listener,* LVII (June 13, 1957), p. 946.

Acting Paramount Chief Gomani declared in the United Kingdom that, "At home now [Nyasaland] we have no protector, because the Government has turned against us." *East Africa and Rhodesia,* January 15, 1953, p. 632.

[32] Mr. Frederic Harris, *House of Commons Debates,* 5th series, 504 (July 24, 1952), col. 842. Regarding this, Don Taylor has written that Southern Rhodesians ". . . were too weak to provide a powerful bastion that could keep the white and black extremists apart, unless—unless a nation big enough to resist the fierce pressures from without could be built, a British-inspired nation that could keep the spirit of tolerance and co-operation alive in Africa . . . ." *Rainbow on the Zambezi* (London, 1953), p. 35.

[33] *House of Lords Debates,* 5th series, 78 (July 7, 1952), col. 727.

CHAPTER VII

[1] *Cairo to Cape Town* (New York, 1955), p. 231.

[2] J.R.D. Young, *Debates of the Legislative Assembly (Southern Rhodesia),* XXXIV (September 30, 1953), p. 1892.

[3] J.M. Greenfield, *ibid.,* XXXIII (June 24, 1952), pp. 2858, 2859.

[4] Roy Welensky, *Debates of the Legislative Council (Northern Rhodesia),* 72 (December 7, 1951), p. 533.

[5] Albion Ross, "New British African Federation Facing a Split," *New York Times,* January 18, 1954, p. 3.

[6] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), p. 2659.

[7] See, for example, an editorial in the *Rhodesia Herald* (Salisbury), April 7, 1953, p. 8.

[8] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), col. 2632.

[9] H. Maclear Bate, *Report from the Rhodesias* (London, 1953), p. 98.

[10] Margery Perham, "The British Problem in Africa," *Foreign Affairs,* XXIX (July, 1951), p. 647.

[11] N. G. Barrett, *Debates . . . (Southern Rhodesia),* XXXIII (June 24, 1952), col. 2730.

[12] *East Africa and Rhodesia,* August 14, 1952, pp. 1527-1528.

[13] *Ibid.,* p. 1529.

[14] See Don Taylor, *Rainbow on the Zambezi* (London, 1953), pp. 142-156.

[15] On the fear of Afrikaner nationalism in the Rhodesias see Kenneth Kirkwood, *The Proposed Federation of the Central African Territories* (Johannesburg, 1951), p. 2.

[16] *House of Lords Debates,* 5th series, 177 (July 2, 1952), col. 657.

[17] John Cookson, *Before the African Storm* (Indianapolis, 1954), pp. 193-194.

[18] *New York Times,* August 21, 1955, p. 27.

[19] See fn. 15, Ch. V.

[20] Two further arguments were mentioned by Sir Godfrey Huggins in an interview with John Gunther. *"First,* there are about 70,000 white South Africans in

Southern Rhodesia. Some Afrikaners among these felt that federation was a blow to the Union and cut off forever the possibility of junction between the Union, their spiritual homeland, and Southern Rhodesia. *Second,* the white artisan class —bricklayers, railwaymen, and the like—feared that federation would lead to 'Africanization' of the European services." *Inside Africa* (New York, 1955), p. 617.

[21] *Debates . . . (Southern Rhodesia),* XXXIII (June 23, 1952), cols. 2659 ff.

[22] *Ibid.,* XXXIII (June 26, 1952), col. 2841.

[23] *Ibid.,* XXXIV (September 30, 1953), col. 1895.

[24] *Ibid.,* cols. 1890 ff. [25] *Ibid.,* col. 1898. [26] *Ibid.,* col. 1894.

[27] Don Taylor, *The Rhodesian, The Life of Sir Roy Welensky* (London, 1955), p. 133.

[28] "Text of Final Communique of Asian-African Parley," *New York Times,* April 25, 1955, p. 6.

[29] *East Africa and Rhodesia,* August 7, 1952, p. 1497.

[30] *New York Times,* September 14, 1954, p. 17; August 2, 1954, p. 3; March 10, 1955, p. 6.

[31] See the *Agreement for the Establishment of the Commission for Technical Co-operation in Africa South of the Sahara,* Cmd. 9069 (London, 1954). Also see *West Africa,* January 25, 1958, p. 73.

[32] *Letter dated 15 October 1953 from Rev. Michael Scott, The International League for the Rights of Man,* U.N. Doc. A/C. 4/241 (New York, 1953), pp. 2-3.

[33] "Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter" (Continued), A/C. 4/SR.343, *Official Records Fourth Committee, Eighth Session,* Summary Records of Meetings 16 September to 7 December, 1953, p. 175.

[34] *Ibid.,* p. 176.

[35] "Information from Non-Self-Governing Territories . . . ," *op. cit.,* p. 131.

[36] *Ibid.,* p. 111. [37] *Ibid.,* p. 151. [38] *Ibid.,* p. 135.

[39] *Supra,* pp. 95-97.

[40] "I submit the right hon. Gentleman [Mr. Griffiths] has changed his position and that that change is coincidental with moving from this side of the House to the other." Sir I. Fraser, *House of Commons Debates,* 5th series, 515 (May 4, 1953), cols. 119-120.

[41] See Oliver Lyttelton's statement in the *Listener,* March 12, 1953, p. 433.

[42] Among others, the Colonial Secretary stated he was "not satisfied ... there has not even been considerable intimidation." *House of Commons Debates,* 5th series, 504 (July 24, 1952), col. 787.

[43] Mr. Archer Baldwin, *House of Commons Debates,* 5th series, 515 (May 4, 1953), col. 99. "It should be said here," writes Mr. Donald Taylor, "that the greatest single mistake made in this whole business was to imagine that there was anything approaching an 'African opinion' to be sounded. There is no such thing." "Central Africa: Decision For Unity — Or Disruption," *New Commonwealth,* XXV (January, 1953), p. 5.

[44] S. N. Evans, *House of Commons Debates,* 5th series, 499 (April 29, 1952), col. 1265.

[45] *House of Lords Debates,* 5th series, 177 (July 2, 1952), cols. 671-672.

[46] *House of Commons Debates,* 5th series, 504 (July 24, 1952), col. 857.

[47] See *ibid.,* 5th series, 497 (March 4, 1952), col. 215. Statement by James Griffiths .

[48] *House of Commons Debates,* 5th series, 515 (May 4, 1953), cols. 188-189.

[49] "I wish to know one thing. Why is it that all along it has been suggested

that this matter is extremely urgent? What is the hurry?" Clement Davies, *House of Commons Debates,* 5th series, 504 (July 24, 1952), col. 810.

[50] Eirene White, *House of Commons Debates,* 5th series, 515 (May 4, 1953), col. 81.

[51] *House of Commons Debates,* 5th series, 515 (May 4, 1953), cols. 92-93.

[52] *House of Lords Debates,* 5th series, 177 (July 2, 1952), cols. 600-601.

[53] *Ibid.,* col. 599.

[54] See Lawrence C. Vambe, "As An African Sees the Federation," in *Rhodesia and East Africa,* F. S. Joelson ed. (London, 1958), pp. 337-342.

[55] David Cole, "How Strong is the African National Congress?" *New Commonwealth,* XXVII (January, 1954), p. 5.

[56] *New York Times,* August 21, 1955, p. 27; September 18, 1955, p. 8.

[57] *Debates ... (Northern Rhodesia),* 73 (July 7, 1952), col. 234.

[58] Cole, *op. cit.,* p. 7. [59] *East Africa and Rhodesia,* March 6, 1952, p. 787.

[60] *House of Commons Debates,* 5th series, 515 (May 6, 1953), col. 412. [61] *Loc. cit.*

[62] *A Petition To Her Majesty Queen Elizabeth II Against Federation Made By Chiefs and Citizens of Nyasaland,* The Africa Bureau (London, 1953), p. 10.

[63] *The New Federation of Rhodesia and Nyasaland,* Federal Information Service (Salisbury, 1954), p. 6.

[64] African representation in the Nyasaland Legislative Council was increased, effective with the 1956 elections, to five members. The Council also includes six non-African members and twelve official government members. Furthermore, African members, who were previously appointed by the Governor, will be elected by the African provincial councils. See *New York Times,* September 25, 1955, p. 7.

[65] *Debates ... (Southern Rhodesia),* XXXIII (June 24, 1952), col. 2838. See also Bate, *op. cit.,* pp. 133-134.

[66] *House of Lords Debates,* 5th series, 177 (July 2, 1952), col. 595.

[67] Cookson, *op. cit.,* p. 203.

[68] While in Nyasaland, Alexander Campbell was informed that the Nyasaland African Congress had a membership of only 900 persons. This, however, is hard to corroborate, for such organizations keep few accurate lists and the turnover of members is high. See *The Heart of Africa* (New York, 1954), pp. 219-221.

[69] Anthony H. Richmond, *The Colour Problem* (Harmondsworth, 1955), p. 181. One of these incidents, the removal of Chief Gomani of the Angoni tribe, is described with simple but telling pathos by the Reverend Michael Scott in *African Episode,* Africa Bureau (London, 1953).

[70] *House of Commons Debates,* 5th series, 515 (May 4, 1953), cols. 52-53.

[71] *Debates ... (Northern Rhodesia),* 73 (July 7, 1952), col. 237.

[72] Roy Welensky, "Toward Federation in Central Africa," *Foreign Affairs,* XXXI (October, 1952), p. 147. Also see Henry Gibbs, *Africa on a Tightrope* (London, 1954), p. 107.

[73] *Central African Territories: A Comparative Survey of Native Policy,* Cmd. 8235 (London, 1951), pp. 12-16.

[74] *East Africa and Rhodesia,* January 29, 1953, p. 687. In a less passionate but equally direct statement the petitioners wrote to Queen Elizabeth II that "We fear that if we have closer political association with Southern Rhodesia that discrimination will spread into all the territories in that political association." *A Petition ... Against Federation ...,* pp. 5-6.

[75] Basil Davidson, *Report on Southern Africa* (London, 1952), p. 260. Arthur

Creech Jones likewise writes that the federal scheme "entrenches the European community in an overwhelming dominance." *African Challenge, The Fallacy of Federation,* Africa Bureau (London, 1952), p. 20. Cornelis W. de Kiewiet also states that federation "places power in the hands of the white population which could be used against the interests of the native population." *Foreign Affairs,* XXXIII (April, 1955), p. 454. "Seen in another light," notes John Gunther, "as a good many critics see it, federation is no more nor less than a clever, hypocritical artifice for maintaining and extending white supremacy in central Africa. This is why almost all Africans in the region dislike and oppose it." *Op. cit.,* p. 615.

[76] *House of Lords Debates,* 5th series, 177 (July 7, 1952), cols. 744-745.

[77] For an interesting discussion, see Vernon Bartlett, *Struggle for Africa* (New York, 1953), pp. 56-60.

[78] *East Africa and Rhodesia,* May 8, 1952, p. 1066. [79] *Ibid.,* May 18, 1950, p. 1151.

[80] *Ibid.,* January 29, 1953, p. 687.

[81] Mr. Michael Newman, the Federation's Assistant Information Attaché in London, stated in a speech before the Royal African Society: "We can absorb vast numbers of Europeans — in their millions over a period of time. . . ." *African News,* II (December, 1955), p. 5. Lt. Col. H. E. Crocker also writes that "The Rhodesian Institute formed at Salisbury aims to promote European immigration at the rate of ten percent of the population of the Federation in each year. Its object is a European population of three millions by 1980." *Contemporary Review* (November, 1955), p. 312.

[82] "Native opinion," asserted Mr. N. G. Barrett in the Southern Rhodesian legislature, "is now solidly against federation." *Debates . . . (Southern Rhodesia),* XXXIII (June 24, 1952), col. 2731.

[83] V. O. Key, Jr., *Southern Politics in State and Nation* (New York, 1950), p. 7.

[84] "Now that Federation is an accomplished fact," Mr. H. Maclear Bate comments, "it is axiomatic that the European populations will be drawn very much closer together; that was the *raison d'être* for Federation." *Op. cit.,* p. 123.

[85] See Keith Irvine, "The Central African Federation," *Current History,* (May, 1956), p. 285.

[86] Thomas, R. Adam, *Modern Colonialism: Institutions and Policies* (New York, 1955), p. 83.

[87] Nicholas Mansergh, *The Multi-Racial Commonwealth* (London, 1955), p. 109.

[88] Patrick Monkhouse, "North of the Limpopo (4): A Limited Partnership," *Manchester Guardian Weekly,* September 8, 1955, p. 15.

[89] D. W. Brogan, *Politics in America* (New York, 1954), p. 26.

[90] *Atlantic Alliance, NATO's Role in the Free World,* Royal Institute of International Affairs (London, 1952), p. 131.

CHAPTER VIII

[1] *Daily Service* (Lagos), May 28, 1957, p. 9.

[2] *House of Representatives Debates (Nigeria),* III (March 26, 1957), col. 1428, and IV (August 5, 1958), p. 2067.

[3] Lord Hailey, *Native Administration in the British African Territories,* III (London, 1951), p. 1.

[4] K. M. Buchanan and J. C. Pugh, *Land and People in Nigeria* (London, 1955), p. 246.

[5] Walter R. Crocker, *Self-Government for the Colonies* (London, 1949), p. 51, and C. R. Niven, "Nigeria," *United Empire,* XLV (November-December, 1955), p. 230.

While the term "tribe" is somewhat misleading when it is applied to the peoples of Nigeria (because the group on which it is commonly conferred lacks both "self-consciousness and political focus as such" and because of the large size of the tribes referred to), it has achieved such wide usage that to abandon it might cause still greater confusion. See *Colonial Reports: Nigeria 1949* (London, 1950), p. 16.

[6] K. M. Buchanan, "The Northern Region of Nigeria: The Geographical Background of its Political Duality," *Geographical Review,* XLIII (October, 1953), pp. 451-452.

[7] "Prospects of a New Nigeria," *Daily Service* (Lagos), May 16, 1957, p. 3.

For another speech dealing forthrightly with this delicate matter, see that of Chief Akintola in *House of Representatives Debates (Nigeria),* III (March 26, 1957), col. 1413.

[8] *Papers Relating to the Occupation of Lagos, 1862,* p. 4, as quoted by Sir Alan Burns, *History of Nigeria,* 5th ed. (London, 1955), p. 125.

[9] *Papers Relating to the Surrender of the Charter of the Royal Niger Company, 1899* (C. 9372), as quoted in Burns, *op. cit.,* p. 162. In this respect Sir Frederick Lugard observed that a chartered company's dual functions of administration and commerce should in fact be kept wholly distinct." *The Dual Mandate in British Tropical Africa,* 2d. ed. (Edinburgh, 1923), p. 25.

[10] C. R. Niven, *How Nigeria is Governed* (London, 1952), pp. 52-53.

[11] Sir F. D. Lugard, *Nigeria, Report on the Amalgamation of Northern ana Southern Nigeria, and Administration, 1912-1919,* Cmd. 468 (London, 1920), pp. 7-8.

[12] *Ibid,* p. 7.

[13] Arthur N. Cook, *British Enterprise in Nigeria* (Philadelphia, 1943), p. 194; and Raymond L. Buell, *The Native Problem in Africa,* I (New York, 1928), p. 648.

[14] Sir F. D. Lugard, *The Dual Mandate in British Tropical Africa, op. cit.,* p. 96.

[15] *Ibid.,* p. 101. [16] Cmd. 468, pp. 29-30.

[17] Walter R. Crocker went so far as to write that "there are no political problems, internal or external, of any kind." *Nigeria: A Critique of British Colonial Administration* (London, 1936), p. 235.

[18] Joan Wheare, *The Nigerian Legislative Council* (London, 1950), p. 44.

[19] "The British Colonial Territories: Current Scene and Outlook for the Future," *Yale Review,* XXXVIII (Winter, 1949), p. 217.

[20] "Nigeria's New Constitution," *United Empire,* XXXVII (March-April, 1946), p. 78. Mr. Creech Jones, as the Under-Secretary of State for the Colonies, further described the step as designed "to create a country, whereas Nigeria previously was little more than a number of regions strung together." *House of Commons Debates,* 5th series, 416 (November 19, 1945), col. 164.

[21] *Legislative Council Debates (Nigeria),* 1st sess. (March 20, 1947), p. 5.

[22] See "Federation in Nigeria: Can Western Political Institutions Be Transplanted to Africa?" *African News,* I (January, 1954), p. 1, and Eme O. Awa, *Regionalism in Nigeria: A Study in Federalism* (New York University, Ph.D. dissertation, 1955), p. 272.

[23] "What we are attempting to do in Nigeria," Chief Bode Thomas told the 1950 Constitutional Conference, "can only be compared with the association of the whole of Great Britain, France and Germany as one Federal country."

Nigeria, Proceedings of the General Conference on Review of the Constitution, January, 1950 (Lagos, 1950), p. 86.

CHAPTER IX

[1] K. C. Wheare, *Federal Government,* 3rd ed. (London 1953), p. 260.

[2] Lord Milverton, "Nigeria," *United Empire,* XXXIX (March-April, 1948), p. 72.

[3] *Loc. cit.* See also Walter R. Crocker, *On Governing Colonies* (London, 1947), p. 115.

[4] *Proposals for the Revision of the Constitution of Nigeria,* Cmd. 6599 (London, 1945), p. 6.

[5] Several years earlier, Mr. Creech Jones had described the National Council as "not by any means a representative body. It represents a certain educated or sophisticated section of Nigeria, but cannot claim to speak on behalf of the great tribal organizations in the various regions of Nigeria." *House of Commons Debates,* 5th series, 416 (November 19, 1945), col. 163.

[6] He reconsidered this decision and associated himself with the second session of the new Legislative Council "in order to hasten the day when this country shall have attained to a state when her indigenes shall exercise political responsibility." *Legislative Council Debates (Nigeria),* 2d. sess., I (March 9, 1948), p. 403.

[7] "Nigerian Endorsement?" *West African Review,* XVI (July, 1945), p. 15. (Italics are in the text.)

[8] Nnamdi Azikiwe, *The Development of Political Parties in Nigeria* (London, 1957), pp. 15-18.

[9] Sir Bernard Bourdillon, "Nigeria's New Constitution," *United Empire,* XXXVII (March-April, 1946), p. 76; Walter R. Crocker, *Self-Government for the Colonies,* (London, 1949), pp. 50-51; "Nigerian Endorsement?" *op. cit.,* p. 17; Azikiwe, *op. cit.,* p. 14.

[10] Perhaps Dr. N. T. Olusoga (Member for the Ijebu Division) best expressed the feelings of the African members when he asked the Governor that they "be allowed to go back to our respective provinces and consult our people." *Legislative Council Debates (Nigeria),* 23d sess. (March 22, 1945), p. 509. It is in part because this was refused that Obafemi Awolowo charged that the African unofficials were "more or less stampeded" into passing the motion favoring the constitutional proposals. *Path to Nigerian Freedom* (London, 1947), p. 118.

[11] Cmd. 6599, pp. 13-14. Also see Creech Jones' statement in *House of Commons Debates,* 5th series, 451 (June 2, 1948), cols. 76-77.

[12] *Legislative Council Debates (Nigeria),* 2d. sess., I (August 17, 1948), pp. 12-13.

[13] *Ibid.,* 3d sess., I (March 11, 1949), p. 320.

[14] *Ibid.,* (March 23, 1949), p. 583.

[15] "The Nigerian Constitutional Review," *Journal of African Administration,* II (January, 1950), p. 11.

[16] *Nigeria, Review of the Constitution — Regional Recommendations* (Lagos, 1939).

[17] *Ibid.,* p. 26. [18] *Ibid.,* p. 12.

[19] *Nigeria, Proceedings of the General Conference on Review of the Constitution, January, 1950,* p. 53.

[20] *Ibid.,* p.42. [21] *Ibid.,* p. 15. [22] *Ibid.,* p. 108. (*Infra,* pp. 171-174.)

[23] *Ibid.*, p. 232. [24] *Ibid.*, p. 187. [25] *Ibid.*, p. 24.
[26] *Ibid.*, pp. 42 and 55. [27] *Ibid.*, p. 67. (Italics as found in text.)
[28] *Ibid.*, p. 236. [29] *Ibid.*, p. 240. [30] *Ibid.*, p. 26.
[31] *Notes on Colonial Constitutional Changes 1940-1951.* Colonial Office Memorandum No. 4 (London, 1951), p. 9.
[32] *Legislative Council Debates (Nigeria),* 4th sess. I (April 3, 1950), p. 508.
[33] *Ibid.*, p. 509. [34] *Ibid.*, p. 510.
[35] *Ibid.*, (September 16, 1950), p. 190.
[36] *House of Commons Debates,* 5th series, 480 (November 6, 1950), col. 30.
[37] *The Nigeria (Constitution) Order in Council, 1951,* Statutory Instruments No. 1172 (London, 1951), pp. 42-44.
[38] C. R. Niven, *How Nigeria is Governed* (London, 1952), p. 79.
[39] *The Nigerian (Constitution) Order in Council, 1951* ... pp. 68-70.
[40] See "The Nigerian Iceberg," *West Africa,* July 21, 1951, p. 649.
[41] *The Nigeria (Constitution) Order in Council 1951* . . . pp. 79-80.
[42] *Ibid.*, p. 27. See also p. 59. [43] *Loc. cit.*
[44] *Ibid.*, pp. 51-53. [45] *Ibid.*, pp. 26 and 51. [46] *Ibid.*, p. 50.
[47] "Towards the Birth of a Nigerian Nation," *Economist,* May 5, 1951, p. 1049.
[48] *Northern House of Chiefs Debates (Nigeria),* 5th sess., 2d meeting (August 21, 1956), pp. 17-18.
[49] Lord Hailey, *Native Administration in the British African Territories,* III (London, 1951), p. 22.
[50] *House of Representatives Debates (Nigeria),* 2d. sess., II (March 31, 1953), col. 987.
[51] "Nigerian Setback," *Economist,* April 18, 1953, p. 161.
[52] See the *Western House of Assembly Debates (Nigeria),* 2d. sess. Part II (May 5, 1953), p. 439 ff.
[53] *House of Commons Debates,* 5th series, 514 (April 22, 1953), cols. 1160-1161.
[54] *Ibid.*, 515 (May 21, 1953), cols. 2263-2264.
[55] *Report by the Conference on the Nigerian Constitution,* Cmd. 8934 (London, 1953), p. 3.
[56] However, the delegation of the National Independence party withdrew from the twelfth meeting in protest against this emphasis upon regional autonomy. George Padmore, *Pan-Africanism or Communism?* (London, 1956), p. 279.
[57] Cmd. 8934, p. 4. [58] *Ibid.*, pp. 15-16. [59] *Ibid.*, p. 5.
[60] *Ibid.*, p .6. [61] *Ibid.*, pp. 6-7. [62] *Ibid.*, p. 11.
[63] *Ibid.*, pp. 22-23. [64] *Ibid.*, p. 21.
[65] *Western House of Assembly Debates (Nigeria),* 2d sess. (October 15, 1953), p. 38, and *Western House of Chiefs Debates (Nigeria),* 2d sess. (October 20, 1953), p. 5.
[66] *Western House of Assembly Debates (Nigeria),* 2d. sess. (October 15, 1953), p. 44.
[67] *Ibid.* (October 16, 1953), p. 54. [68] *Ibid.* (October 15, 1953), p. 46.
[69] *Western House of Chiefs Debates (Nigeria),* 2d. sess. (October 20, 1953), p. 11.
[70] "Agreement at Lagos," *Economist,* February 13, 1954, p. 476; and "The Lagos Conference," *West African Review,* XXV (March, 1954), pp. 202-203.
[71] *Report by the Resumed Conference on the Nigerian Constitution,* Cmd. 9059 (London, 1954), p. 16.
[72] *Nigeria, Report of the Fiscal Commissioner on the Financial Effects of the Proposed New Constitutional Arrangements,* Cmd. 9026 (London, 1953), p. 15.

[73] *Ibid.*, pp. 14-15. These provisions have, with minor modifications, remained in effect up to the present. However, the Fiscal Commission, appointed in accordance with the terms of the 1957 Constitutional Conference, recommended basic changes for the consideration of the Resumed Conference. Thus the Commission proposed that since the Northern Region has had less than its due share of revenue from import duties (as a consequence of the way the derivation principle has been applied), it should reserve for the year 1958-1959 a sum of £500,000, to be paid from the reserves of the federal government. With respect to further allocations of federal revenue, the Commission recommended that 70 per cent of the general import revenue should be retained by the federal government and 30 per cent should pass into the Distributable Pool. This Pool, which would also consist of 30 per cent of mining royalties and rents, should be divided between the regions in the following percentages: North, 40; West, 24; East, 31; Southern Cameroons, 5. *Nigeria, Report of the Fiscal Commission,* Cmnd. 481 (London, 1958), pp. 25 and 30-32.

[74] Cmd. 9026, p. 30. [75] Cmd. 9059, p. 54. [76] *Ibid.*, pp. 54-55.

[77] *The Nigeria (Constitution) Order in Council, 1954,* Statutory Instruments No. 1146 (London, 1954).

[78] *House of Representatives Debates (Nigeria),* 3d. sess. (March 8, 1954), col. 36.

[79] *Commonwealth Affairs,* B.I.S., ID 838-XXVIII (New York, 1955), p. 5; and *West African Review,* XXVI (February, 1955), p. 107.

[80] *West Africa,* June 2, 1956, p. 351.

[81] *Report by the Nigeria Constitutional Conference,* Cmnd. 207 (London, 1957), p. 14.

[82] Subsequently, in August, 1958, the Northern Region asked for self-government as of March 15, 1958. *Daily Times* (Lagos), August 2, 1958. p. 8.

[83] Cmnd. 207, p. 7. [84] *Loc. cit.* [85] *Ibid.*, p. 8.

[86] *Ibid.*, p. 24. [87] *Ibid.*, p. 26. [88] *Ibid.*, p. 27.

[89] *Loc. cit.* On August 5, 1958, the federal legislature resolved that the federal delegates to the (1958) Resumed Conference should strive to ensure that Nigeria attained her independence on April 2, 1960. *House of Representatives Debates (Nigeria),* IV (August 5, 1958), p. 2067.

[90] *Times* (London), July 12, 1957, p. 9. [91] Cmnd. 207, p. 18.

[92] The last mentioned would be non-voting members.

[93] The Conference also proposed the creation of a House of Chiefs in the Eastern Region and in the Southern Cameroons.

[94] Cmnd. 207, p. 31.

[95] William Clark, "South of Sahara — II," *Listener,* March 28, 1957, p. 502.

[96] See A. S. Aluko, *The Problems of Self-Government for Nigeria: A Critical Analysis* (London, 1955), p. 19.

[97] *Northern House of Assembly Debates (Nigeria),* 2d. sess. (May 22, 1953), col. 27.

[98] *Northern House of Chiefs Debates (Nigeria),* 2d. sess. (May 23, 1953), p. 10.

[99] *House of Representatives Debates (Nigeria),* III (March 26, 1957), col. 1430.

[100] Obafemi Awolowo, *Path To Nigerian Freedom* (London, 1947), p. 54, and *West Africa,* January 12, 1957, p. 45.

[101] That Chief Awolowo is himself fully cognizant of the problems involved in his proposal for thirty or forty regions can be seen from his speech at Cambridge University, where he declared that, "To talk of federalism in one breath, and in another to advocate the creation of States so small and so weak that they are hardly viable, is to attempt to introduce by the backdoor [a] unitary con-

stitution...." *Daily Service* (Lagos), May 18, 1957, p. 7.

[102] Thomas Hodgkin, "Background to Nigerian Nationalism: 5," *West Africa,* September 1, 1951, p. 797.

[103] See *West Africa,* May 25, 1957, p. 481, and June 1, 1957, p. 506, and *Nigeria, Report of the Commission appointed to enquire into the fears of Minorities and the means of allaying them,* Cmnd. 505 (London, 1958).

[104] *West African Pilot* (Lagos), May 8, 1950, p. 2.

[105] *Northern House of Assembly Debates (Nigeria),* 5th sess. (March 6, 1956), col. 220.

[106] *Ibid.,* col. 203. [107] *Ibid.,* cols. 181-184. [108] *Ibid.,* col. 185. [109] *Ibid.,* col. 222.

[110] *House of Representatives Debates (Nigeria),* III (March 26, 1957), col. 1451.

[111] Cmnd. 207, p. 13.

[112] *Ibid.,* p. 14.

[113] Cmnd. 505, chs. 12, 13. [114] *Ibid.,* p. 95.

[115] *Daily Times* (Lagos), July 21, 1958, p. 1.

[116] *West African Pilot* (Lagos), February 23, 1950, p. 1.

[117] February 23, 1952, p. 159.

[118] *Nigeria, Proceedings of the General Conference on Review of the Constitution...,* p. 63.

[119] C. R. Niven, "Nigeria," *United Empire,* XLV (November-December, 1954), p. 231.

[120] Thomas F. Brady, "Inquiry Bringing Nigeria Turmoil," *New York Times,* August 22, 1956, p. 6.

[121] *Nigeria, Proceedings of the General Conference on Review of the Constitution ...,* p. 24.

[122] *Supra,* pp. 162-163. [123] Cmnd. 207, p. 8. [124] *Supra,* p. 168.

CHAPTER X

[1] *New Statesman,* August 9, 1958, p. 162.

[2] Kwame Nkrumah, *Ghana, The Autobiography of Kwame Nkrumah* (New York, 1957), p. 92.

[3] Donald S. Rothchild, *The Encouragement of Political Consciousness in the Gold Coast and British Togoland* (University of California, Berkeley, M.A. thesis, 1954), p. 53.

[4] Raymond L. Buell, *The Native Problem in Africa,* I (New York, 1928), pp. 832-833.

[5] Magnus Sampson, *West African Leadership* (North Devon, 1951), p. 82.

[6] See F. M. Bourret, *The Gold Coast: A Survey of the Gold Coast and British Togoland 1919-1946* (Palo Alto, 1949), p. 157.

[7] *House of Commons Debates,* 5th series, 391 (July 13, 1943), cols. 142-143.

[8] *Ibid.,* 414 (October 17, 1945), col. 1143.

[9] Basil Davidson, *et al., The New West Africa: Problems of Independence* (London, 1953), p. 16.

[10] R. W. G. MacKay, "Towards a United States of Africa?", *West Africa,* September 16, 1950, p. 849.

[11] "Self-Government in the Commonwealth," *Listener,* July 14, 1955, p. 52.

[12] *Labour's Colonial Policy: III Smaller Territories* (London, 1957), p. 21.

[13] Nkrumah, *op. cit.,* p. 44.

[14] George Padmore, *Pan-Africanism or Communism? The Coming Struggle*

for Africa (London, 1956), p. 164.

[15] *Report of the Commission of Enquiry into Disturbances in the Gold Coast, 1948,* Colonial No. 231 (London, 1948), p. 17.

[16] Nkrumah, *op. cit.,* p. 101. [17] *Ibid.,* p. 290.

[18] Bankole Timothy, *Kwame Nkrumah* (London, 1955), p. 142.

[19] "Congress at Kumasi," *West African Review,* XXV (Feb., 1954), pp. 112-113.

[20] Edward R. Murrow, *See It Now,* April 23, 1956, p. 6.

[21] "Foreign Policy for Ghana," *West Africa,* March 16, 1957, p. 241.

[22] "Ghana and France," *West Africa,* January 5, 1957, p. 5, and *Africa Special Report,* II (March, 1957), p. 9.

[23] *West Africa,* April 27, 1957, p. 399.

[24] Timothy, *op. cit.,* p. 188. See also S. A. Aluko, *The Problem of Self-Government for Nigeria: A Critical Analysis* (London, 1955), p. 35.

[25] *Supra,* p. 184. [26] Nkrumah, *op. cit.,* p. 261.

[27] "Quest for Liberty: An African Speaks," *Nation,* December 26, 1953, pp. 562-563.

[28] "It must be recognized," writes Nana Yaw Twum Duah Agyeman, "that none of our economic problems could ever be solved by isolation." *West Africa on the March* (New York, 1952), p. 67.

[29] Timothy, *op. cit.,* p. 189.

[30] See M. S. Forna, "Letters to the Editor: Complexities of Sovereignty," *West Africa,* June 21, 1958, p. 588.

[31] *Conference of Independent African States, Speeches Delivered at the Close of the Conference* (Accra, 1958), p. 25. Speech by Dr. Nkrumah.

[32] Timothy, *op. cit.,* p. 143.

[33] K. C. Wheare, *Federal Government,* 3d. ed. (London, 1953), p. 38.

[34] Jonathan Chukwuka Ezenekwe, "West Africa," *Journal of International Affairs,* VII (1953), p. 174.

[35] For example, while Chief Rotimi Williams, the Western Regional Minister of Justice and Local Government, was in Ghana in 1956, he made a statement that the ultimate aim of the Action Group was to work for a West African federation. Nonetheless, when the Premier of his region, Chief Obafemi Awolowo, returned from the Nigeria Constitution Conference held in London in May and June of 1957, he told a Lagos audience that he was insulted by the manner in which Dr. Nkrumah, who was in London for the Prime Ministers' Conference, had sent an invitation to meet with himself and other Nigerian Premiers. Thus West African leaders might well agree on basic objectives but be unable to cooperate in bringing these to fruition. See *Daily Service* (Lagos), May 20, 1957, p. 3; and *West Africa,* July 20, 1957, p. 687.

CHAPTER XI

[1] Self-Government in Africa: Problems of Status in Divided Societies," *Manchester Guardian Weekly,* December 17, 1953, p. 3.

[2] Kwame Nkrumah, African Prospect," *Foreign Affairs,* XXXVII (October, 1958), p. 51.

[3] *House of Representatives Debates (Nigeria),* III (March 26, 1957), col. 1432.

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